



PLANNING COMMISSION AGENDA

May 3, 2022 - 6:00 p.m.

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

I. MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Planning Commission members, Tom Van Voorhees (chair), Amy Moore, Jim Mock, Pat Smith, Kay Harrison, Brad Cozza, Robin Stroh

IV. CORRESPONDENCE

V. MINUTES

Review and approval of the April 5, 2022 Planning Commission meeting minutes.

VI. PUBLIC APPEARANCES

VII. BUSINESS

- A. Public Hearing and consideration of text amendments adding Central Point Municipal Code (CPMC) Chapter 5.44 to provide standards and application requirements for placement of mobile food vendors inside the city limits. **Applicant:** City of Central Point. **File No.** ZC-21003. **Approval Criteria:** CPMC 17.10, Zoning Text Amendments. (Gindlesperger)
- B. Public hearing and consideration of a Site Plan and Architectural Review application for site improvements at Scenic Middle School that include constructing site access, circulation and parking lot improvements, establishing a separated bus-loading zone, construction of additional classrooms, relocating existing modular classrooms and installation of an additional modular classroom. **Applicant:** School District #6; **Agent:** O'Connor Law, LLC (Daniel B. O'Connor). File No. SPAR-22002. **Approval Criteria:** CPMC 17.72, Site Plan and Architectural Review. (Gindlesperger)
- C. Public Hearing and consideration of a Class "C" Variance to the standards in CPMC 17.75.039(G) "Parking/Loading Facility Perimeter and Screening" and Table 17.75.03 "Parking/Loading Facility Perimeter and Street Frontage Landscaping" for the development of a new bus route and loading area for Scenic Middle School. The 13.58 acre site is located at 1955 Scenic Avenue and is identified on the Jackson County Assessor's map as 37S 2W 03AB, Tax Lot 4300. **Applicant:** School District #6; **Agent:** O'Connor Law, LLC (Daniel B. O'Connor).

VIII. DISCUSSION

IX. ADMINISTRATIVE REVIEWS

X. MISCELLANEOUS

XI. ADJOURNMENT

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the Planning Commission meeting. To make your request, please contact the City Recorder at 541-423-1026 (voice), or by e-mail at: deanna.casey@centralpointoregon.gov .

Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta publica de la ciudad por favor llame con 72 horas de anticipación al 541-664-3321 ext. 201.

City of Central Point Planning Commission Meeting Minutes

April 5, 2022

I. MEETING CALLED TO ORDER AT 6:03 P.M.

II. Pledge of Allegiance

III. ROLL CALL

Planning Commission members, Jim Mock, Amy Moore (remotely), Brad Cozza, Robin Stroh.

Also in attendance were Planning Director Stephanie Holtey, Community Planner Justin Gindlesperger and Senior Accountant Rachel Neuenschwander.

IV. CORESPONDENCE

None.

V. MINUTES

Brad Cozza made a motion to approve the March 1, 2022 minutes. Robin Stroh seconded the motion. ROLL CALL: Amy Moore, yes; Jim Mock, yes; Brad Cozza, yes; Robin Stroh, yes; Motion passed.

VI. PUBLIC APPEARANCES

None.

VII. DISCUSSION

A. Mobile Food Businesses Code Amendments. Discussion of additional revisions to CPMC 5.44, Mobile Food Businesses and various sections Title 17, Zoning recommended following legal review. File No. ZC-21003.

Planning Director Stephanie Holtey introduced the discussion item and explained what happens after the Planning Commission makes a recommendation to the City Council for legislative amendments, like Mobile Food Vendors. She stated that the City Attorney raised several questions that prompted revisions to clarify several aspects of the proposed Mobile Food Businesses Code. Given the scope of changes, staff recommended the revision be brought back to the Planning Commission for public hearing and consideration.

Community Planner Justin Gindlesperger presented the suggested changes to Chapter 5.44 and the affected sections in Title 17, including the application and permit process, definitions and standards. .

Following discussion by the Planning Commissioners, the item was forwarded to a public hearing on May 3, 2022.

Brad Cozza made a motion to forward the text amendments for the Mobile Food Businesses CPMC 5.44 and Title 17 to a Public Hearing on May 3, 2022, Robin Stroh seconded. ROLL CALL: Amy Moore, Yes; Jim Mock; Yes motion passed.

B. Rewrite 2022 Zoning Code Update Project. Information session and discussion concerning small wireless facilities regulation. File No. ZC22001.

Planning Director Stephanie Holtey presented an overview on the Rewrite 2022: Zoning Code Update Project, focusing on information pertaining to small wireless facilities. The need for these changes stems from recent changes to federal law and requires cities to allow small wireless facilities in the public right-of-way subject to clear and objective standards.

Ms. Holtey reviewed specifications of different types of small cell facilities as well as the Federal Communications Commission's (FCC) Declaratory Ruling & Third Report & Order FCC 18-33 ("Small Cell Order"). The FCC order is for Right-of-Way access only.

Mike Parsons provided public comment and inquired about camouflaging and height restrictions. Ms. Holtey responded that small wireless facilities have different characteristics and requirements than macro facilities. The Planning Commission will be considering design standards that can help mitigate visual impact of these facilities.

The Commissioners requested antennas an outline that identifies standards that the City can address in its new code, as well as those that are governed by the FCC.. Ms. Holtey will prepare a fact sheet or outline for the Commissioners prior to the next discussion planned for the next meeting on May 3, 2022.

VIII. ADMINISTRATIVE REVIEWS

None.

X. MICELLANEOUS

Stephanie Holtey brought up a planning commissioner training opportunity through Michigan State University that consists of 10 1hour sessions. There was some interest from the commissioners regarding these sessions.

The City is maintaining the Class 6 rating through the Community Rating System (CRS), which allows residents living in the floodplain to get a 20% discount on flood insurance.

Two applications will be forthcoming to the Planning Commission for Scenic Middle School. The applications include a Site Plan and Architectural Review and a Class "C" Variance.

Planning Commissioner Robin Stroh formally introduced herself.

X. ADJOURNMENT

Brad Cozza moved to adjourn the meeting. Robin Stroh seconded the motion. Meeting was adjourned at 7:44 p.m.

Item VII-A: Public Hearing & Consideration of Mobile Food Vendor Text Amendments

May 3, 2022

Item Summary

Public hearing for text amendments to expand opportunities for mobile food vendors, establish clear standards, and create an application process for authorizing mobile food vendors on a temporary and semi-permanent basis within City limits. **Applicant:** City of Central Point.

Staff Source

Justin Gindlesperger, Community Planner II

Background

In response to increased interest from the public in permitting food trucks in Central Point, the Citizens Advisory Committee (CAC) and Planning Commission met throughout last year (2021) to evaluate expanding the use of food trucks, permitting other mobile food businesses, and discuss possible regulations for their use within the City. The intent of the amendments is to provide clear standards and application procedures to expand opportunities for mobile food businesses in the City.

On March 3, 2022, the Planning Commission considered the mobile food business text amendments and forwarded them to City Council with a recommendation for approval. Prior to the City Council hearing, a few questions and changes were suggested by the City's legal counsel during legal review that exceeded the scope of the Planning Commission's recommendation. For this reason, staff is bringing the mobile food business amendments back to the Planning Commission. At the April 5th Planning Commission meeting, the code amendments and changes were included as an information and discussion item. At the May 3rd meeting, staff will present the recommended changes for formal consideration and public hearing.

Issues

The primary issue in considering the amendments for mobile food businesses is to establish clear standards for the expanded use of mobile food businesses that are consistent with statewide planning goals and the Central Point Comprehensive Plan.

Findings of Fact and Conclusions of Law

The proposed zoning text amendments have been reviewed against and found to comply with the applicable review criteria in CPMC 17.10, Zoning Map and Text Amendments as demonstrated in the Planning Department Findings of Fact and Conclusions of Law (Attachment "B").

Action

Open a public hearing and consider the proposed text amendments to CPMC 5.44, Mobile Food Businesses, close the public hearing and 1) forward to the Council for approval, 2) make revisions and forward the ordinance to the Council, or 3) deny the application.

Recommendation

Approve Resolution No. 894, a Resolution recommending approval of the amendments to CPMC 5.44, Mobile Food Businesses.

Attachments

Attachment "A-1" – Draft Amendments to CPMC 5.44

Attachment "A-2" – Draft Amendments to Title 17 - Zoning

Attachment "B" – Planning Department Findings of Fact

Attachment "C" – Resolution No. 894

CPMC 5.44 Mobile Food Businesses

5.44.010	Purpose
5.44.020	Definitions
5.44.030	Mobile Food Vendors
5.44.040	Mobile Food Pods
5.44.050	Mobile Food Courts
5.44.060	Specialty Food Vendors
5.44.070	Denial, revocation or suspension of permit
5.44.080	Penalties

5.44.010 Purpose.

Expand opportunities for mobile food businesses and establish clear standards and application process for authorizing mobile food businesses on a temporary and semi-permanent basis.

5.44.020 Definitions.

A. "Mobile Food Business" means mobile food services provided in a motorized vehicle, trailer or push cart located on private property with permission of the property owner(s). There are four (4) types of mobile food businesses for purposes of this code:

1. "Mobile Food Vendor" means a single mobile food retailer that is located on single parcel of land.
2. "Mobile Food Pod" means two (2) to three (3) Mobile Food Vendors that are located on a single parcel of land.
3. "Mobile Food Court" means a group of four (4) to twelve (12) Mobile Food Vendors located on a single parcel of land.
4. "Specialty Food Vendor" means a mobile retailer of pre-packaged or whole food products that do not involve onsite preparation. Specialty food vendors operate for durations that do not exceed fifteen (15) minute time periods **in public and private parking lots with owner consent, and the public-right-of-way**. An example of a specialty food vendor is an ice cream truck.

B. "Mobile Food Vendor Permit" means a permit that applies to Mobile Food Vendors and Specialty Food Vendors in accordance with the standards set forth in CPMC 5.44 as provided below.

5.44.030 Mobile Food Vendors.

A. Applicability.

1. Permitted Use. Mobile Food Vendors shall be a permitted use on privately owned property in the C-N, C-4, C-5, GC, M-1, M-2 and Civic zoning districts subject to the application procedures and standards in items B-D of this section below.

2. Special Events. Mobile Food Vendors associated with Special Events as defined in CPMC 5.42 shall obtain a Special Event Permit from the Parks Department and are exempt from the requirements of this Chapter.
 3. **Parks.** Mobile Food Vendors are only permitted in **Don Jones Park, Pfaff Park, and Twin Creeks Park** subject to a Special Event Permit obtained by the Parks Department. Mobile Food Vendors are not permitted in any other parks or the public right-of-way.
- B. Application Requirements. Mobile Food Vendors shall obtain the required application approvals, as applicable, prior to locating and operating the Mobile Food Vendor business as follows:
1. Minor Site Plan & Architectural Review Approval (Type I). **Except as provided in subsection 5.44.030(A)(2-3), a Minor Site Plan and Architectural Review (Type I) is required to verify that the proposed location for a Mobile Food Vendor business is consistent with Site Plan and Architectural Review standards for development in the city in accordance with CPMC 17.72 and the Mobile Food Vendor site standards identified in Section 5.44.030(C). Type I procedures are set forth in CPMC 17.05.200.**
 2. Business License. Mobile Food Vendors shall obtain a business license prior to conducting business per CPMC 5.04.030.
 3. **Mobile Food Vendor Permit** is required for individual Mobile Food Vendors subject to demonstrated conformance with the site standards in accordance with Sections 5.44.030(B)(1) or 5.44.040(B)(1); and, the operational standards in 5.44.030(C), respectively.
 4. Jackson County Environmental Health Permit.
 5. Oregon Liquor and Cannabis Commission (OLCC) Liquor License and Alcohol Service Permits if alcohol sales are part of the mobile food business.
- C. Mobile Food Vendor Standards. The following site and operational standards shall apply to Mobile Food Vendors:
1. **Operational Requirements.**
 - a. Business activity shall be limited to the hours of 7:00 a.m. to 11:00 p.m.
 - b. Mobile Food Vendor vehicle (i.e. truck, trailer or pushcart) shall be removed from the site each day when the business activities have ceased.
 2. **Location Requirements.**

- a. Mobile Food Vendor vehicle (i.e. pushcart, truck, trailer ,etc.) shall comply the base zone setbacks set forth in Title 17, the clear vision areas in the Public Works Standard Specifications and the following location requirements:
 - b. The Mobile Food Vendor vehicle shall be placed on a paved surface.
 - c. **The Mobile Food Vendor shall be located:**
 1. **Except as provided in 5.44.040.C.3 at least 50-ft from other permitted Mobile Food Vendor location(s);**
 2. **A minimum of 15-feet from a fire hydrant; and**
 3. **At least 300-feet from residential zoning districts if the Mobile Food Vendor utilizes a generator for power.**
 - d. Mobile Food Vendors, including all items associated with their operation, shall be located to avoid obstructing any existing or required pedestrian pathway, driveway, and drive aisles; and,
 - e. Mobile Food Vendors shall not create a traffic or safety hazard.
3. Parking.
- a. The Mobile Food Vendor vehicle shall not occupy required off-street parking spaces for the primary use on the site.
 - b. Two (2) off-street parking spaces shall be provided in accordance with the off-street parking standards in CPMC 17.75.039.
 - c. Shared parking between the Mobile Food Vendor and the primary use is subject to the requirements in CPMC 17.64.040(D).
4. Utilities. The Mobile Food Vendor vehicle shall be self-contained unless the site has permanent utility connections permitted by the Central Point Building Official.
- a. Temporary connection to power is permitted provided that extension cords are covered or screened to prevent a tripping hazard.
 - b. Generators used for mobile food businesses **shall be consistent with applicable Fire Code.**
5. Support Equipment and Accessories.
- a. Awning(s) may be provided to shelter customers provided the awning(s) are integral to the Mobile Food Vendor vehicle, have a minimum vertical

- clearance of seven (7) feet eight (8) inches, and be able to be closed or removed.
- b. No support equipment or accessories, including but not limited to counters, awnings, etc. shall extend more than four (4) feet from the edge of the cart, trailer or vehicle in any direction.
 - c. The cooking mechanism, including BBQ grills must be enclosed and permanently built into the structure of the vehicle.
6. Signage shall be limited to what can be physically attached to the vehicle, except for temporary signs authorized by Chapter 15.24. Unsecured menu boards and sidewalk signs are prohibited.
7. Trash and Recycling.
- a. Mobile Food Vendors shall provide trash and recycling receptacles for use by business patrons.
 - b. Mobile Food Vendor operators are responsible for keeping the site and adjacent right-of-way areas clean and attractive. Operators shall collect and appropriately dispose of any litter on the same throughout operating hours.
8. No waste shall be discharged into the city's storm drain system, directly or indirectly, as provided in CPMC 8.05, Storm Drain Protection.

5.44.040 Mobile Food Pods.

- A. Applicability. Mobile Food Pods shall be a permitted use on privately owned property in the C-N, C-4, C-5, GC, M-1, M-2, and Civic zoning districts subject to the application requirements and standards in Sections 5.44.040(B-C).**
- B. Application Requirements. Mobile Food Pod locations and Mobile Food Vendors operating within approved Mobile Food Pod are subject to the following application requirements:**
 - 1. Major Site Plan & Architectural Review Approval (Type II) is required to verify that the proposed location and configuration of a Mobile Food Pod meets the Site Plan and Architectural Review requirements for development in the city in accordance with CPMC 17.72 and the Mobile Food Pod site standards in CPMC 5.44.040(C). This application applies to the property owner or authorized agent to establish an approved Mobile Food Pod that can accommodate individual Mobile Food Vendors. Type II procedures are set forth in CPMC 17.05.300.**
 - 2. Each Mobile Food Vendor within an approved Mobile Food Pod shall satisfy the application requirements for Mobile Food Vendors per CPMC 5.44.030(B)(2-5).**

C. Mobile Food Pod Standards. The following site and operation standards shall apply to Mobile Food Pods:

1. The site plan and architectural development standards are consistent with the base zoning district;
2. Design and development standards in CPMC 17.75, as applicable; and
3. Mobile Food Vendor standards in CPMC 5.44.030(C), except that the minimum distance between Mobile Food Vendors within a mobile food pod shall be 10-feet.

5.44.050 Mobile Food Courts.

A. Applicability. Mobile Food Courts shall be a conditional use on privately owned property in the CN, C-4, C-5, and GC zoning districts subject to the application requirements and standards in Sections 5.44.050(B-C).

B. Application Requirements. Mobile Food Courts shall obtain the following application approvals in accordance with CPMC 17.05.100, Table 17.05.1:

- a. **Conditional Use Permit approval is required in accordance with the application requirements and criteria in CPMC 17.76. As provided in Table 17.05.01, Conditional Use Permits are subject to Type III procedures set forth in CPMC 17.05.400.**
- b. **Major Site Plan & Architectural Review is required to verify that the proposed location and configuration of a Mobile Food Court meets the development standards for the base zoning district in accordance with CPMC 17.72 or CPMC 17.66, as applicable, and the Mobile Food Court site standards in CPMC 5.44.050(C).As provided in Table 17.05.01, the Major Site Plan Review for Mobile Food Courts shall be subject to Type III procedures set forth in CPMC 17.05.400.**

2. **Each Mobile Food Vendor within an approved Mobile Food Court shall satisfy the application requirements for Mobile Food Vendors per CPMC 5.44.030(B)(2-5).**

C. Mobile Food Court Standards. The site and operation standards for Mobile Food Vendors and Mobile Food Pods in CPMC 5.44.030(C) and 5.44.040(C), respectively, shall apply to Mobile Food Courts except as modified below:

1. Overnight parking is allowed provided that each mobile food business vehicle remains operable and road-ready.

2. Designated, paved parking pads shall be provided for each mobile food vehicle to be located within the Mobile Food Court.
3. Outdoor equipment and accessories are permitted and include items such as tables and seating, canopies, grills, and other amenities for guests.
4. Restroom facilities shall be plumbed in accordance with the Oregon Specialty Building Codes. No portable/chemical toilets are permitted.
5. Full utility connections shall be provided for mobile food businesses operating in the Mobile Food Court, including:
 - a. Water.
 - i. A site dedicated master water meter is required. The size, installation and applicable fees shall be coordinated with the Public Works Department.
 - ii. Private water line extensions from the master water meter to each vendor shall be required per the Uniform Plumbing Code.
 - b. Sanitary sewer. The Mobile Food Court shall be connected to sanitary sewer lines consistent with Rogue Valley Sewer Services requirements.
 - c. Underground power shall be stubbed to each mobile food business parking pad.

5.44.060 Specialty Mobile Food Vendor.

Specialty Mobile Food Vendors shall obtain a Central Point Business License **and Mobile Food Vendor Permit**. Specialty Mobile Food Vendors are subject to the following requirements:

- A. Specialty Mobile Food Vendors may be authorized to conduct business **within the public right-of-way, and public and private parking lots with written property owner consent**.
- B. Specialty food vendors shall limit the length of sales activity to no more than fifteen (15) minutes in a single **location in the public right-of-way and no more than fifteen (15) minutes in a parking lot on public or private property. Moving the Specialty Food Vendor vehicle to a new space on the same property to conduct sales activity in excess of fifteen (15) minutes is prohibited and shall be grounds for suspending, revoking or denying future Specialty Food Vendor permit as provided in Section 5.44.070 and/or 5.44.080.**
- C. Specialty Food Vendors shall not impede traffic on any road right-of-way.
- D. Trash receptacles shall be provided by the Specialty Food Vendor for customers.

E. Specialty Food Vendors shall be limited to operating between 10:00 a.m. and 7:00 p.m.

5.44.070 Denial, Revocation or Suspension of Permit.

- A. The **Planning Director or designee** may deny, revoke or suspend a **Mobile Food Vendor Permit** upon finding that any provision herein or condition of approval will be or has been violated.
- B. Upon denial, revocation or suspension of a permit as described in subsection (A) above, **the Planning Director or designee** shall give written notice of such action to the applicant or permittee stating the action taken and the reason. The decision shall be effective immediately. **The Planning Director's decision is final and may not be appealed.**

5.44.080 Penalties.

Any violation of this chapter shall be an infraction as defined in Section 1.16.010 and is punishable by a fine as set forth in that section. **The Planning Director** or designee is authorized to issue a citation to any person or business violating the provisions of this chapter. After two (2) infractions, **the Mobile Food Vendor Permit** authorization shall be revoked for a period of at least one (1) year.

Title 17
ZONING

Chapters:

- 17.05 Applications and Development Review Procedures
 - 17.05.100, Table 17.05.1
- 17.29 Civic District
 - 17.29.050 Use categories and zone districts
- 17.32 C-N, Neighborhood Commercial District
 - 17.32.020 Permitted Uses
 - 17.32.030 Conditional Uses
- 17.44 C-4, Tourist and Office-Professional District
 - 17.44.020 Permitted Uses
 - 17.44.030 Conditional Uses
- 17.46 C-5, Thoroughfare Commercial District
 - 17.46.020 Permitted Uses
 - 17.46.030 Conditional Uses
- 17.48 M-1, Industrial District
 - 17.46.020 Permitted Uses
 - 17.46.030 Conditional Uses
- 17.65 TOD Districts and Corridors
 - 17.65.050 Zoning regulations – TOD district Table 1

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
Annexation				
Quasi-Judicial	Type III	Chapter 1.20	City Council	No
Legislative	Type IV	Chapter 1.20	City Council	No
Comprehensive Plan & UGB Amendments				
Major	Type IV	Chapter 17.96	City Council	No
Minor	Type III	Chapter 17.96	City Council	No
Conditional Use Permit	Type III	Chapter 17.76	Planning Commission	Yes
Conversion Plan	Type II	Chapter 16.32	Director	Yes
Extensions				
Type I Procedures	Type I	Section 17.05.200(G)	Director	Yes
Type II Procedures	Type II	Section 17.05.300(G)	Director	Yes
Home Occupation	Type I	Section 17.60.190	Director	Yes

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
Mobile Food Business				
Mobile Food Vendor	Type I	Section 5.44.030 Chapter 17.72	Director	Yes
Mobile Food Pod	Type II	Section 5.44.040 Chapter 17.72	Director	Yes
Mobile Food Court	Type III	Section 5.44.050 Chapter 17.76 Chapter 17.72	Planning Commission	Yes
Specialty Food Vendor	Type I	Section 5.44.060	Director	No
Land Division				
Tentative Plan, Partition	Type II	Chapter 16.36	Director	Yes
Tentative Plan, Subdivision	Type III	Chapter 16.10	Planning Commission	Yes
Final Plat	Type I	Chapter 16.12	Director	No
Property Line Adjustment/Consolidation	Type I	Chapter 16.10	Director	Yes
Modification of Approval				
Major	Type III	Section 17.09.300	Planning Commission	Yes
Minor	Type II	Section 17.09.400	Director	Yes
Nonconforming Use Designation	Type III	Section 17.56.040	Planning Commission	No
Planned Unit Development	Type III	Chapter 17.68	Planning Commission	Yes
Right-of-Way Vacation	Type IV	Chapter 12.28	City Council	No
Site Plan and Architectural Review				
Minor	Type I	Chapter 17.72	Director	Yes
Major	Type II	Chapter 17.72	Director	Yes
TOD District/Corridor Master Plan	Type III	Chapter 17.66	Planning Commission	Yes
Tree Removal	Type II	Chapter 12.36	Director	Yes

TABLE 17.05.1

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

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

17.29.050 Use categories and zone districts.

Use Categories	Civic Zoning (C)
Commercial	
Entertainment	N
Professional Office	N
<u>Retail Sales and Service</u>	
Sales-Oriented/Concessions	C1
Mobile Food Vendors and Mobile Food Pods	L2
Personal Service-Oriented	N
Repair-Oriented	N
Drive-Through Facilities	C1
Quick Vehicle Service	N
Vehicle Sales, Rental and Repair	N

N – Not permitted
P – Permitted
C – Conditional Use

C1 – Conditional Use limiting sales oriented space to a maximum of four hundred square feet

L1 – School athletic and play fields only. School building and parking lots not permitted.

L2 – Mobile Food Vendors and Mobile Food Pods are only allowed subject to the requirements in CPMC 5.44, Mobile Food Businesses.

17.32.020 Permitted Uses

The following uses and their accessory uses are permitted outright, subject to compliance with all applicable municipal, State and Federal environmental, health, and safety regulations as well as the requirements for site plans in Chapter 17.72:

- A. Professional and financial offices and personal service establishments;
- B. Retail stores, shops and offices supplying commodities or performing services other than vehicle and fuel sales;
- C. Eating and drinking establishments **including Mobile Food Vendors and Mobile Food Pods as provided in CPMC 5.44;**
- D. Desktop publishing, xerography, copy centers;
- E. Temporary tree sales, from November 1st to January 1st;
- F. Public and quasi-public utility and service buildings, structures and uses;
- G. Neighborhood shopping centers, which may include any of the permitted uses in this section;
- H. Other uses not specified in this or any other district, if the planning commission finds them to be similar to the uses listed above and compatible with other permitted uses and with the intent of the C-4 district as provided in Section [17.60.140](#), Authorization for similar uses.

17.32.030 Conditional Uses

The following uses and their accessory uses are permitted in the C-N district when authorized in accordance with Chapter [17.76](#) of this title:

- A. Automobile repair facilities and related fuel sales;
- B. Outdoor storage of commodities associated with a permitted, special permitted or conditional use. All storage shall be within an area surrounded by a solid wall or fence six feet in height unless otherwise specified in the conditional use permit. In no case shall materials or equipment be stored higher than the wall or fence;
- C. Churches or similar religious institutions;
- D. Medical or dental offices and similar health care services;
- E. Family-oriented commercial recreation establishments including, but not limited to, pool/billiard centers, health spas, exercise or physical fitness centers, martial arts schools, arcades/amusement centers, and similar facilities that are neighborhood oriented and consistent with the purpose and intent of the neighborhood convenience center.
- F. **Mobile Food Courts as provided in CPMC 5.44.**

17.44.020 Permitted Uses

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

- B. Tourist and entertainment-related facilities, including but not limited to:
 - 1. Convenience market, meat, poultry, fish and seafood sales; fruit and beverage stands;
 - 2. Drugstores;
 - 3. Automobile service station, automobile and recreational vehicle parts sales and repairs, and truck rentals;
 - 4. Motel and hotel;
 - 5. Walk-in movie theater;
 - 6. Bowling alley;
 - 7. Photo and art galleries;
 - 8. Photo processing pickup station;
 - 9. Travel agencies;
 - 10. Barber and beauty shops;
 - 11. Sit-down restaurants or dinner houses (including alcohol);
 - 12. Cocktail lounges and clubs serving alcoholic beverages;
 - 13. Tavern with beer only;
 - 14. Commercial parking lot;
 - 15. Community shopping centers which may include any of the permitted uses in this section and may also include but not be limited to:
 - a. Supermarkets;
 - b. Department stores;
 - c. Sporting goods;
 - d. Books and stationery;
 - e. Gifts, notions and variety;
 - f. Florists;
 - g. Leather goods and luggage;
 - h. Pet sales and related supplies;
 - i. Photographic supplies;
 - j. Health food;
 - k. Self-service laundry;
 - l. Antique shop;
 - m. Delicatessen;
 - n. Pastry and confectionery;
 - o. General apparel;
 - p. Shoes and boots;
 - q. Specialty apparel;
 - r. Jewelry;
 - s. Clocks and watches, sales and service;
 - t. Bakery, retail only;
 - u. Bicycle shop;
 - v. Audio, video, electronic sales and service;
 - w. Printing, lithography and publishing;

16. Mobile Food Vendors **and Mobile Food Pods as provided in CPMC 5.44;**
17. State-regulated package liquor stores;
18. Other uses not specified in this or any other district, if the planning commission finds them to be similar to the uses listed above and compatible with other permitted uses and with the intent of the C-4 district as provided in Section [17.60.140](#), Authorization for similar uses;
19. Large retail establishments.

17.44.030 Conditional Uses

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

1. Campgrounds and recreational vehicle overnight facilities;
2. Drive-in movie theater;
3. Golf course/driving range;
4. Ice and roller skating rinks;
5. Dance halls;
6. Billiard/pool halls;
7. Miniature golf courses;
8. Amusement center (pinball, games, etc.);
9. Nonindustrial business/vocational schools;
10. Physical fitness/conditioning center; martial arts schools;
11. Carwash;
12. Taxicab dispatch office;
13. Ambulance/emergency services;
14. Day care center;
15. Drive-in fast food outlets;
16. Other specialty food outlets, **including Mobile Food Courts as provided in CPMC 5.44;**
17. Television and radio broadcasting studio;
18. Accessory buildings and uses customarily appurtenant to a permitted use, such as incidental storage facilities, may be permitted as conditional uses when not included within the primary building or structure;

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

17.46.020 Permitted Uses

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

C. Retail outlets, including but not limited to:

1. Auto and truck sales (new and used),
2. Tire sales and service,
3. Glass and mirror sales and service,
4. Wallcovering, floorcovering, curtains, etc.,
5. Major appliances sales and service,
6. Hardware sales,
7. Monument sales,
8. Supermarket,
9. Convenience market,
10. Drugstore,
11. Feed, seed and fuel (within enclosed structure),
12. Electrical and plumbing supplies,
13. Heating and air-conditioning equipment;
14. Stone, tile and masonry supplies,
15. Nursery and gardening materials and supplies,
16. Antique shop,
17. Art and engineering supplies,
18. Pawnshop,
19. Sit-down restaurants, including service of beer, wine and liquor,
20. Drive-in fast food establishments,
21. Tavern, beer sales only,
22. Public/quasi-public utilities and services,
23. Florist sales,
24. Pet sales,

25. General apparel;
26. Furniture sales, including used furniture,
27. Sporting goods sales, including firearms,
28. State-regulated package liquor stores,
29. Community shopping centers, which may include any of the permitted uses in this section and the C-4 district,
30. Large retail establishment eighty thousand square feet or less as defined in Section [17.08.010](#), Retail establishment, large; and,
31. **Mobile Food Vendors and Mobile Food Pods as provided in CPMC 5.44.**

17.46.030 Conditional Uses

The following uses are permitted in the C-5 district when authorized in accordance with Chapter [17.76](#):

1. Automobile and truck paint shops;
2. Recreational vehicle overnight facilities;
3. Drive-in movie theater;
4. Heavy equipment sales and service;
5. Mobile home and recreational vehicle sales;
6. Boats and marine equipment sales and service;
7. Motorcycle and snowmobile sales and service;
8. Dinner houses and restaurants serving alcoholic beverages;
9. Cocktail lounges and clubs;
10. Other specialty food outlets, Mobile Food Vendors;
11. Meat, fish, poultry and seafood, light processing and sales;
12. Dairy products sales;
13. Paint and related equipment and supplies;
14. Cleaning and janitorial supplies;
15. Secondhand store or thrift shop;
16. Mortuary;
17. Amusement center (pinball, games, etc.);
18. Manufacturing for on-premises sales;

19. Taxidermist;
20. Auction house (excluding livestock);
21. Wholesaling of permitted use products;
22. Adult businesses, as defined in Chapter [5.24](#);
23. Small engine sales and service;
24. Vocational, technical and trade schools, including facilities related to industrial trades;
25. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, may be permitted as conditional uses when not included within the primary building or structure;
26. Permitted uses that are referred to the planning commission by city staff because they were found to exhibit potentially adverse or hazardous characteristics not normally found in uses of a similar type or size;
27. Large retail establishments greater than eighty thousand square feet as defined in Section [17.08.010](#), Retail establishment, large;
28. Regional shopping centers;
29. **Mobile Food Courts as provided in Chapter 5.44.**

17.48.020 Permitted Uses

The following uses and their accessory uses are permitted in an M-1 district, subject to the limitations imposed in Section [17.48.030](#):

- A. Warehousing;
- B. Storage and wholesaling of prepared or packaged merchandise;
- C. Dwellings for a caretaker, watchman, or other person regularly employed on the premises;
- D. Administrative, educational and other related activities and facilities in conjunction with a permitted use;
- E. Ambulance and other emergency service facilities, including police and fire stations;
- F. Municipal corporation and public utility buildings, structures and yards, including the storage, repair and maintenance of vehicles and equipment;

- G. All types of automobile, motorcycle, truck, and equipment sales, service, repair and rental, including automobile and truck service stations;
- H. Boat building, sales and repair;
- I. Cold storage plants, including storage and office;
- J. Printing, publishing and book binding;
- K. Scientific research or experimental development of materials, methods of products, including engineering and laboratory research;
- L. Vocational, technical and trade schools, including facilities related to industrial trades;
- M. Retail and/or wholesale lumber and building materials sales yard, not including concrete mixing;
- N. Light fabrication and repair shops such as blacksmith, cabinet, electric motor, heating, machine, sheet metal, signs, stone monuments, upholstery and welding;
- O. Assembly, manufacture, or preparation of articles and merchandise from previously prepared materials, such as canvas, cloth, cork, fiber, tobacco, wire, wood, excluding sawmills and other wood processing plants, and similar materials;
- P. Manufacture, compounding, processing, packing or treatment of such products as bakery goods, candy, cosmetics, dairy products and meat, drugs, perfumes, pharmaceuticals, toiletries; excluding the rendering of fats and oils, fish and meat slaughtering, and fermented foods such as vinegar and yeast;
- Q. Processing uses such as bottling plants, creameries, blue-printing and photocopying, laundries, carpet cleaning, tire retreading, recapping and rebuilding;
- R. Manufacture of electric, electronic, or optical instruments or related devices;
- S. Manufacture of products used by the medical and dental professions, including artificial limbs, dentures, hearing aids, surgical instruments and dressings, and similar products;
- T. Developer's project and sales offices, including mobile homes adapted to that purpose, during construction only;
- U. Planned unit developments, subject to the provisions of Chapter [17.68](#);

V. Mini-storage facilities;

W. Mobile Food Vendors and Mobile Food Pods as provided in Chapter 5.44;

X. Other uses not listed in this or any other district, if the planning commission finds them to be similar to those listed above and compatible with other permitted uses and with the intent of the M-1 district.

17.65.050 TOD Districts and Corridors

Table 1 TOD District Land Uses							
Use Categories	Zoning Districts						
	LMR	MMR	HMR	EC	GC	C	OS
<u>Commercial</u>							
Entertainment	N	N	C	P, L7	P, L8, L9	L8	L10
Professional Office	C	L3	L3, L4	P	P	P	N
Retail Sales and Service							
Sales-oriented	C	L3	L3	P	P	N	N
Personal service-oriented	C	L3	L3, L4	P	P	N	N
Repair-oriented	N	N	N	P	P	N	N
Drive-through facilities	N	N	N	P	P	N	N
Quick vehicle service	N	N	N	P	P	N	N
Vehicle sales, rental and repair	N	N	N	P	P	N	N
Tourist Accommodations							
Motel/hotel	N	N	C	P	P	N	N
Bed and breakfast inn	C	C	P	P	P	N	N

N--Not permitted.

P--Permitted use.

N--Not permitted.

P--Permitted use.

P1--Permitted use, one unit per lot.

C--Conditional use.

L1--Only permitted as residential units above ground floor commercial uses.

L2--School athletic and play fields only. School building and parking lots are not permitted.

L3--Permitted in existing commercial buildings or new construction with ground floor businesses with multifamily dwellings above ground floor. Maximum floor area for commercial use not to exceed ten thousand square feet per tenant.

L4--Second story offices may be permitted in areas adjacent to EC zones as a conditional use.

L5--Only permitted as a transition between lower density zones and/or when adjacent to an environmentally sensitive area.

L6--Permitted only when part of an existing or proposed senior housing project on abutting property under the same ownership within the MMR or HMR district.

L7—Mobile Food Vendors, Mobile Food Pods and Mobile Food Courts are prohibited as provided in CPMC 5.44, Mobile Food Businesses.

L8—Mobile Food Vendors and Mobile Food Pods are subject to the application requirements and provisions in CPMC 5.44, Mobile Food Businesses.

L9—Mobile Food Courts may be permitted in the GC zone as a conditional use in accordance with CPMC 5.44, Mobile Food Businesses and per CPMC 17.76, Conditional Use Permits.

L10—Mobile Food Vendors may be permitted in Twin Creeks Park subject to a Special Event Permit in accordance with CPMC 5.44.030(A)(3).

**FINDINGS OF FACT
AND CONCLUSIONS OF LAW
File No.: ZC-21003**

**Before the City of Central Point Planning Commission
Consideration of a Zone Text Amendments to Central Point Municipal Code
Chapter 5.44, Mobile Food Businesses.**

Applicant:) Findings of Fact
City of Central Point) and
140 South 3rd Street) Conclusion of Law
Central Point, OR 97502

**PART 1
INTRODUCTION**

The proposed text amendment aims to expand opportunities for mobile food vendors, establish clear standards, and create an application process for authorizing mobile food vendors on a temporary and semi-permanent basis within City.

The zone text amendment request is a legislative amendment, which is processed using Type IV application procedures. Type IV procedures set forth in Section 17.05.500 provides the basis for decisions upon standards and criteria in the development code and the comprehensive plan, when appropriate.

Applicable development code criteria for this Application include CPMC 17.10, which includes compliance with the statewide planning goals, comprehensive plan and Transportation Planning Rule. The amendment's compliance with applicable criteria are presented in Part 2 and summarized in Part 3.

PART 2 - ZONING CODE COMPLIANCE

17.10.200 Initiation of amendments.

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

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

Finding CPMC 17.10.200: *The Planning Commission is being asked to consider Resolution No. 893 to forward a favorable recommendation to the City Council regarding proposed changes to Central Point Municipal Code (CPMC) Chapter 5.44, Mobile Food Businesses. Action on this Resolution satisfies CPMC 17.10.200(A).*

Conclusion 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 amendments are legislative changes to land use regulations in CPMC 5.44. The changes consist of new text and regulations for future land use decisions, qualifying as a Major Amendment and have been processed in accordance with Type IV procedures in CPMC 17.05.500.*

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:

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

Finding CPMC 17.10.400 (A): *The proposed amendments have been reviewed against the Statewide Planning Goals and found to comply as follows:*

Goal 1- Citizen Involvement. *This goal requires that all citizens be given the opportunity to be involved in all phases of the planning process. As evidenced by the land use notifications in the newspaper on 2-16-2022, notice to DLCD on December 28, 2021 and advertisement on the City's website (www.centralpointoregon.gov/projects), the City has duly noticed the application as necessary to allow the opportunity for citizen participation in the public hearings scheduled with the Planning Commission (3-1-2022) and City Council (3-10-2022) for the proposed text changes consistent with Goal 1.*

Goal 2 – Land Use Planning. *Goal 2 addresses the land use planning procedures in Oregon, including the need to adopt comprehensive plans and implementing ordinances based on factual information. The proposed amendments are consistent with existing policy in the comprehensive plan and are aimed at establishing clear standards with expanded opportunities. The proposed changes are based on factual information from the municipal code and guidance documents consistent with City standards.*

Goal 3 – Agricultural Lands. Goal 3 addresses agricultural land within rural areas. The proposed text amendments do not affect agricultural lands or agricultural buffers that would be required adjacent to agricultural lands outside the urban growth boundary. On this basis, Goal 3 does not apply to the proposed text amendments.

Goal 4 – Forest Lands. Goal 4 addresses forest lands within rural areas. The proposed text amendments do not affect forest lands or lands adjacent to forest lands; therefore, Goal 4 does not apply.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources. Goal 5 establishes a process for each natural and cultural resource to be inventoried and evaluated. If deemed to be significant, local governments may preserve, allow uses that conflict with the resource, or allow a combination of the two. In Central Point, floodplains and historic structures have been inventoried, and ordinances have been adopted to minimize impacts to each. The proposed text amendments would not affect any implementing ordinances that require or protect open spaces, natural resources, or scenic or historic areas associated with significant Goal 5 resources in the City.

Goal 6 – Air, Water and Land Resources Quality. Goal 6 requires local comprehensive plans and implementing ordinances to comply with state and federal regulations on air, water and land quality resource requirements. Because the proposed amendments are focused primarily on expanding commercial activity on developed sites, the amendments will not impact the ability of development projects to comply with any applicable state or federal air, water or land quality requirements.

Goal 7 – Areas Subject to Natural Hazards. Goal 7 requires appropriate safeguards when planning for development in floodplains or other areas subject to natural hazards. In Central Point, floodplain development is regulated in accordance with CPMC 8.24, Flood Damage Prevention. Earthquake and fire safety is a function of building and fire codes. The proposed amendments would not impede or otherwise conflict with the standards set forth in CPMC 8.24, the building code or fire code as necessary to protect against flood, earthquake, or fire damages.

Goal 8 – Recreational Needs. This goal requires communities to inventory existing parks and recreational facilities, and to project the needed facilities to serve all populations within the community. Amending standards and regulations for mobile food businesses within Central Point would not generate any additional need for parks and recreation services.

Goal 9 – Economy of the State. Goal 9 addresses diversification and improvement of the economy and specifically addresses commercial and industrial land. The proposed amendments provide regulations for temporary and semi-permanent commercial uses located on existing commercial lands. The amendments are consistent with Goal 9 as it strengthens the standards for development and will not adversely affect the availability of commercial lands within the City.

Goal 10 – Housing. Goal 10 requires local communities to plan for and accommodate housing needs in the City. The proposed amendments regulate temporary and semi-permanent businesses on commercial properties. As such, the proposed text amendments are not expected to have impacts on housing needs in the City.

Goal 11 – Public Facilities and Services. Goal 11 calls for efficient planning of public services such as sewer, water, law enforcement and fire protection to assure that public services are planned in accordance with a community’s needs and capacities rather than to be forced to respond to development as it occurs. Public facilities and services are planned in accordance with the Comprehensive Plan Public Facilities Element and updated master plans for water, stormwater, etc. The proposed amendments will not affect the provision of services or generate additional need for services not already planned.

Goal 12 – Transportation. Goal 12 aims to provide a safe, convenient and economic transportation system. The proposed amendments provide regulations for temporary and semi-permanent commercial uses on commercially zoned lands that are considered in the current transportation system. As such, the proposed text amendments are not expected to have impacts on transportation facilities.

Goal 13 – Energy. Goal 13 has to do with conserving all forms of energy encourages communities to look within existing urban areas for potential redevelopment before looking to expand. The proposed amendments provide regulations for temporary and semi-permanent commercial uses that provide additional commercial opportunities within the existing urban area. As such, the proposed text amendments are not expected to increase energy utilization.

Goal 14 – Urbanization. Goal 14 has to do with managing the City’s growth in conjunction with project need based on population and land use. The proposed amendments will not affect population growth or land need; therefore, Goal 14 does not apply.

Goals 15- Applies to the Willamette Valley and does not apply to the City of Central Point.

Goals 16-19 - Applies to coastal areas, which are not adjacent to or within the boundaries of the City of Central Point and are, therefore, not applicable.

Conclusion CPMC 17.10.400(A): Based on the nature of the proposed amendments and the findings above, the proposed changes to CPMC 5.44 are consistent with all applicable Statewide Planning Goals.

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

Finding CPMC 17.10.400 (B): A review of the Central Point Comprehensive Plan identified the following relevant policies:

Citizen Involvement:

Policy 3 – Citizen Influence. Whenever possible, citizens shall be given the opportunity to be involved in all phases of the planning process, including (1) data collection, (2) plan preparation, (3) adoption, (4) implementation, (5) evaluation, and (6) revision.

Finding Citizen Involvement Policy 3 – Citizen Influence: The proposed text amendments are being initiated by the City based on feedback from the community to expand opportunities and establish regulations for temporary and semi-permanent mobile

food businesses. In order to promote awareness of the proposed amendments, the City published notice of two (2) duly public hearings that have been scheduled with the Planning Commission (3/1/2022) and City Council (3/10/2022) to receive testimony. In addition to publishing notice in the newspaper on February 16, 2022, notice was provided to DLCD and information was posted on the City's website (www.centralpointoregon.gov/projects).

Conclusion Citizen Involvement Policy 3 – Citizen Influence: As evidenced by the City's collaboration with business community and efforts to promote awareness of the proposed amendments and public involvement process, the proposed amendment was processed in accordance with Policy 3 for Citizen Involvement.

Economic Element:

Policy 5 – Business Innovation. Encourage innovation, research, development, and commercialization of new technologies, products, and services through responsive regulations and public sector approaches.

Finding Economic Element Policy 5 – Business Innovation. The City has based the proposed text amendments on identified needs within the business community for expanded opportunities for temporary and semi-permanent uses, notably mobile food businesses. For example, the Economic Element notes the limited availability of vacant commercial lands and low redevelopment potential of existing developed areas. The proposed amendments provide expanded opportunities to mobile food businesses that can locate on developed and under-developed lands on a temporary or semi-permanent basis, providing expanded business opportunities within the current development patterns

Conclusion Economic Element Policy 5 – Business Innovation. Consistent.

Land Use Element:

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.

Finding Land Use Goal 1: Mobile food vending can provide a low-cost way to enter business ownership, providing an increase in businesses and business activity in the commercially zoned areas of the city. The proposed amendments expand opportunities to expand the use of mobile food businesses within Central Point in response to growing interest in this industry.

Conclusion Land Use Goal 1: Consistent.

Conclusion CPMC 17.10.400(B):Based on the evaluation of applicable Comprehensive Plan policies, the proposed zoning text amendment is consistent with the Central Point Comprehensive Plan.

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

Finding CPMC 17.10.400 (C): *The proposed zoning text amendment does not include changes to the zoning map.*

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

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): *The proposed text amendment does not involve any changes that would affect trip generation or public transportation facilities, such as an increase in density or parking standards.*

Conclusion CPMC 17.10.400(D): *Given the nature of the proposed amendments and lack of impact to traffic, existing or planned transportation facilities, the proposed amendment complies with the TPR.*

PART 3 – CONCLUSION

As evidenced in findings and conclusions provided in Part 2, the proposed zone text amendment is consistent with applicable standards and criteria in the Central Point Municipal Code, including the Statewide Planning Goals (where applicable), Comprehensive Plan, and Statewide Transportation Planning Rule.

PLANNING COMMISSION RESOLUTION NO. 894

A RESOLUTION APPROVING MAJOR AMENDMENTS TO CPMC 5.44

FILE NO. ZC-21003

Applicant: City of Central Point

WHEREAS, on May 3, 2022 the Planning Commission, at a duly scheduled public hearing, considered major amendments to Chapter 5.44 – Mobile Food Businesses of the Central Point Municipal Code (“CPMC”) as identified in Exhibit “1” – Staff Report dated May 3, 2022:

WHEREAS, it is the finding of the Planning Commission that the above referenced code amendments comply with the approval criteria set forth in CPMC 17.10, including the Statewide Planning Goals, Comprehensive Plan and Transportation Planning Rule as evidenced by the Planning Department Findings identified as Attachment “B” in the Staff Report dated May 3, 2022 (Exhibit 1)

NOW, THEREFORE, BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. 894, does hereby forward a favorable recommendation to the City Council to approve the amendments as set forth in the Staff Report dated May 3, 2022 attached hereto by reference as Exhibit “1” including all attachments therein, which are herein incorporated by reference.

PASSED by the Planning Commission and signed by me in authentication of its passage this 3rd day of May 2022.

Planning Commission Chair

ATTEST:

City Representative
Approved by me this 3rd day of May 2022.

Item VII-B: Public hearing & consideration of a Site Plan & Architectural Review for Scenic Middle School Parking Lot Improvements

May 3, 2022

Item Summary

Consideration of site improvements at Scenic Middle School that include constructing site access, circulation and parking lot improvements, and establishing a separated bus route and loading area. The 13.58 acre site for Scenic Middle School is located at 1955 Scenic Avenue and is identified on the Jackson County Assessor's map as 37S 2W 03AB, Tax Lot 4300.

Applicant: School District #6; **Agent:** O'Connor Law, LLC (Daniel B. O'Connor).

Associated File: VAR-22001

Staff Source

Justin Gindlesperger, Community Planner II

Background

School District #6 ("Applicant") received voter approval for a new bond to accomplish multiple objectives, including planning for future growth and providing for student safety and security. According to the Assessor's records, Scenic Middle School was built in the late 1960's, which pre-dated the design and development standards currently in effect. Consequently the existing access, parking and circulation layout does not conform to the applicable standards in CPMC 17.75, Design and Development Standards and the building configuration does not provide the total classroom space needed to meet current and future demand for public education. The Applicant proposes to address the facility needs at Scenic Middle School in two (2) phases as follows:

- Phase 1 includes repaving and adding sidewalks to the northwest private access drive from Scenic Avenue and reconstructing the parking lot and parent drop off area north of the campus buildings ("Parking Lot Improvements"). The proposal also includes building a new bus route and loading area south of the existing campus buildings with access off Aurora Lane and egress onto Comet Way ("Bus Route and Loading Area"). Phase 1 improvements are the subject of this application and are show in Attachment "A-1".
- Phase 2 illustrates plans to provide new classroom space to accommodate a growing student population. The future building locations and design provide context for the current proposal (Attachment "A-2"). However, Phase 2 is still in the design phase with exact building configuration and architecture to be provided as part of a forthcoming Site Plan & Architectural Review application.

The Parking Lot Improvements in Phase 1 provide increased parking spaces and an enhanced parent drop-off/loading zone that is separated from the school bus loading area. Access to and

from the main parking area and parent drop-off loading area will continue to be via the private access drive and Rock Way, which both intersect Scenic Avenue.

Parking Plan

The proposed parking plan includes 122 parking spaces, which is an increase in approximately 20 spaces over existing conditions. The proposed parking plan meets the off-street parking standards for secondary schools based on the allowable 20% reduction allowed for employment land uses ¹.

Enhanced Parent Drop-off/Loading Area & Fire Lane

The enhanced parent drop-off/loading area includes two (2) 10-ft drive through lanes and a 20-ft wide walkway/loading platform adjacent to the campus buildings. The parent drop off area is also a fire lane separated from the parking areas by a 4-ft wide landscape strip.

Bus Route and Loading Area

Bus Route and Loading Area Improvements separate the parent drop off and loading area from the school bus drop off and loading area. As shown in Attachment "A-3" ("Site Plan – Bus Route and Loading Area"), the proposal includes a new 19-ft gated private access drive on Aurora Lane. The loading area includes a 13-ft walkway/loading platform. As shown on the site plan, approximately nine (9) buses can park in the loading area and will exit onto Comet Way when departing the school.

ISSUES

There are four (4) issues relative to this application as follows:

1. **Landscape Plan.** The landscape plan depicts perimeter and interior landscape areas (Attachment "A-4"). The proposed parking area improvements are located between the structure and public right-of-way, requiring at least one tree for every four parking spaces, per CPMC 17.75.039(G)(2). The landscape plan depicts 25 trees in the reconfigured parking area where a total of 31 trees are required for the 122 parking spaces.

Perimeter landscape improvements, including existing and installed trees, must comply with Table 17.75.03 in CPMC 17.75.039(G). The application specifies that existing mature vegetation is being used to count toward meeting the street frontage planting requirements between the new angled parking area and Scenic Avenue. The proposed sidewalk east of the angled parking area may result in mortality of the mature trees. In the event of tree mortality, the parking area will not comply with the landscape standards.

¹ Off-Street Parking requirements are calculated based on a minimum/maximum ration as provided in CPMC 17.64.040. The result is an absolute number of parking spaces that can be adjusted per Section 17.64.040(B). The Scenic Middle School parking plan provides for a parking reduction that is within the maximum 20% reduction allowed.

Comment: Staff recommends Condition of Approval No. 1(a) requiring the applicant to submit a revised landscape plan that depicts a minimum of 31 trees in the reconfigured parking lot area and depicts how the mature trees will be replaced in the event the trees do not survive through development of the site. Staff also recommends Condition of Approval No. 2(a) that requires the applicant to certify the health of the mature trees prior to Certificate of Occupancy and to replace the trees if they are not in good health.

2. **Fire Lane & Aerial Apparatus.** The site plan shows a 21-ft wide fire lane that is closer to the structure than the prescribed 15-foot separation required and may not provide adequate clear area to accommodate aerial apparatus per the Fire Code. Per Fire District #3 (Attachment "E") the fire lane must provide adequate clear area in order to deploy a ladder (e.g. aerial apparatus) for fire suppression/rescue efforts.

Comment: To meet the Fire Code requirements per the FD3 comments it will be necessary to ensure the fire lane remains clear and unobstructed. Staff recommends a condition of approval requiring the applicant to install signage identifying the fire lane as an area of 'no parking' and prohibiting unattended vehicles.

3. **Bus Route and Loading Zone.** There are two issues associated with the proposed bus route as follows:

- a. **Class "C" Variance.** The proposed site plan for the Bus Route and Loading Area does not provide required landscape buffer widths or plants as required by CPMC 17.75.039(G)(1) for the Aurora Street Frontage or the adjacent residential development.

Comment: Approval of the Phase 1 Bus Route and Loading Area is subject to approval of a Class "C" Variance and will be presented to the Planning Commission as a subsequent agenda item (File No. VAR-22001).

- b. **Floodplain Development Permit.** A portion of the proposed improvements is within the Special Flood Hazard Area (SFHA) for Griffin Creek and requires a floodplain development permit.

Comment: The proposed improvement in the SFHA includes replacing the existing gate and is minor in scope. However, all development in the SFHA requires a floodplain development permit. Staff recommends a condition of approval requiring the Applicant to obtain a permit for the construction activities in the SFHA prior to building permit issuance.

4. **Stormwater Management.** The Parking Lot Improvements require on site stormwater management facilities. Per the Public Works Department (Attachment "D"), the applicant will need to demonstrate compliance with the Rogue Valley Stormwater Quality Design Manual for water quality and quantity treatment.

Comment: Staff recommends a condition of approval requiring the Applicant to submit a Stormwater Management Plan to the Public Works for review and approval prior to building permit issuance.

Findings of Fact & Conclusions of Law

The Scenic Middle School Site Plan and Architectural Review has been evaluated against the applicable Site Plan and Architectural Review Criteria set forth in CPMC 17.72 and CPMC 17.75 and found to comply as conditioned and as evidenced in the Applicant's Findings of Fact (Attachments "B") and the Planning Department's Supplemental Findings (Attachment "C").

Conditions of Approval

1. Prior to building permit issuance for the Parking Lot Improvements, the applicant shall satisfy the following conditions of approval:
 - a. Submit a revised landscape plan that depicts a minimum of 31 parking lot trees and additional trees and shrubs to replace the mature trees along the existing access in the event the existing trees do not survive through development.
 - b. Demonstrate compliance with the following conditions listed in the Public Works Department Staff Report (Attachment "D"):
 - i. Submit a stormwater management plan for the expanded parking lot demonstrating compliance with the MS4 Phase II stormwater quality standards.
 - ii. Submit Civil Improvement Drawings demonstrating the protection of public infrastructure.
 - iii. Pay all System Development Charges and permit fees.
 - c. Demonstrate compliance with the Fire District #3 Staff Report dated April 25, 2022 (Attachment "E"), including but not limited to installation of "No Parking – Fire Lane" signs on both sides of the parent drop off and loading zone on the north entrance of the school building. Signs must comply with the Oregon Fire Code.
2. Prior to building permit issuance for the Bus Route and Loading Area improvements, the applicant shall satisfy the following conditions of approval:
 - a. Receive approval a Class "C" Variance granting relief from the parking lot and loading area landscape standards per CPMC 17.75.039(G)(1) and Table 17.75.03;

- b. Submit landscape plans demonstrating compliance with the parking lot and loading area landscape standards per CPMC 17.75.039(G)(1) and Table 17.75.03;
 - c. Obtain a Floodplain Development Permit for improvements within the SFHA.
 - d. Demonstrate compliance with the following conditions listed in the Public Works Department Staff Report (Attachment “D”):
 - i. Submit Civil Improvement Drawings demonstrating protection of public infrastructure and a plan for moving the existing fire hydrant and blow-off assembly.
 - ii. Pay all System Development Charges and permit fees.
3. Prior to Public Works Final Inspection, the applicant shall demonstrate compliance with the following:
- a. An arborist shall certify the health of the mature trees in the northwest portion of the project site. If the trees are not deemed healthy enough to survive, the applicant shall submit a landscape plan for review and approval that depicts replacement vegetation. Once the landscape plan is approved, the applicant shall install the vegetation.
 - b. Complete stormwater management improvements per the Stormwater Management Plan approved by the Public Works Department. The Engineer-of-Record shall certify that the construction of the drainage system was constructed per the approved plans.
 - c. Complete civil improvements per the Civil Improvement Drawings approved by the Public Works Department.
 - d. Record an operations and maintenance agreement for all new stormwater quality features.

Attachments

Attachment “A-1” – Site Plan – Parking Lot Improvements

Attachment “A-2” – Phase Development Plan

Attachment “A-3” – Site Plan – Bus Route and Loading Area

Attachment “A-4” – Landscape Plan

Attachment “B” – Applicant’s Findings

Attachment “C” – Planning Department Supplemental Findings

Attachment “D” – Public Works Department Staff Report, dated 04/25/2022

Attachment “E” – Fire District No. 3 Staff Report, dated 04/25/2022

Attachment "F" – Rogue Valley Sewer Services Staff Report, dated 04/25/2022

Attachment "G" – Resolution No. 895

Action

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

Recommendation

Approve Resolution No. 895, a Resolution recommending approval of the Site Plan & Architectural Review application for the Scenic Middle School development plan.



POWELL
 engineering • consulting
 271 N. Commercial Street, Suite 201
 Beards, Oregon 97102
 541.302.5535

**JACKSON COUNTY
 DISTRICT #6
 SCENIC MIDDLE
 SCHOOL PARKING
 LOT IMPROVEMENTS**

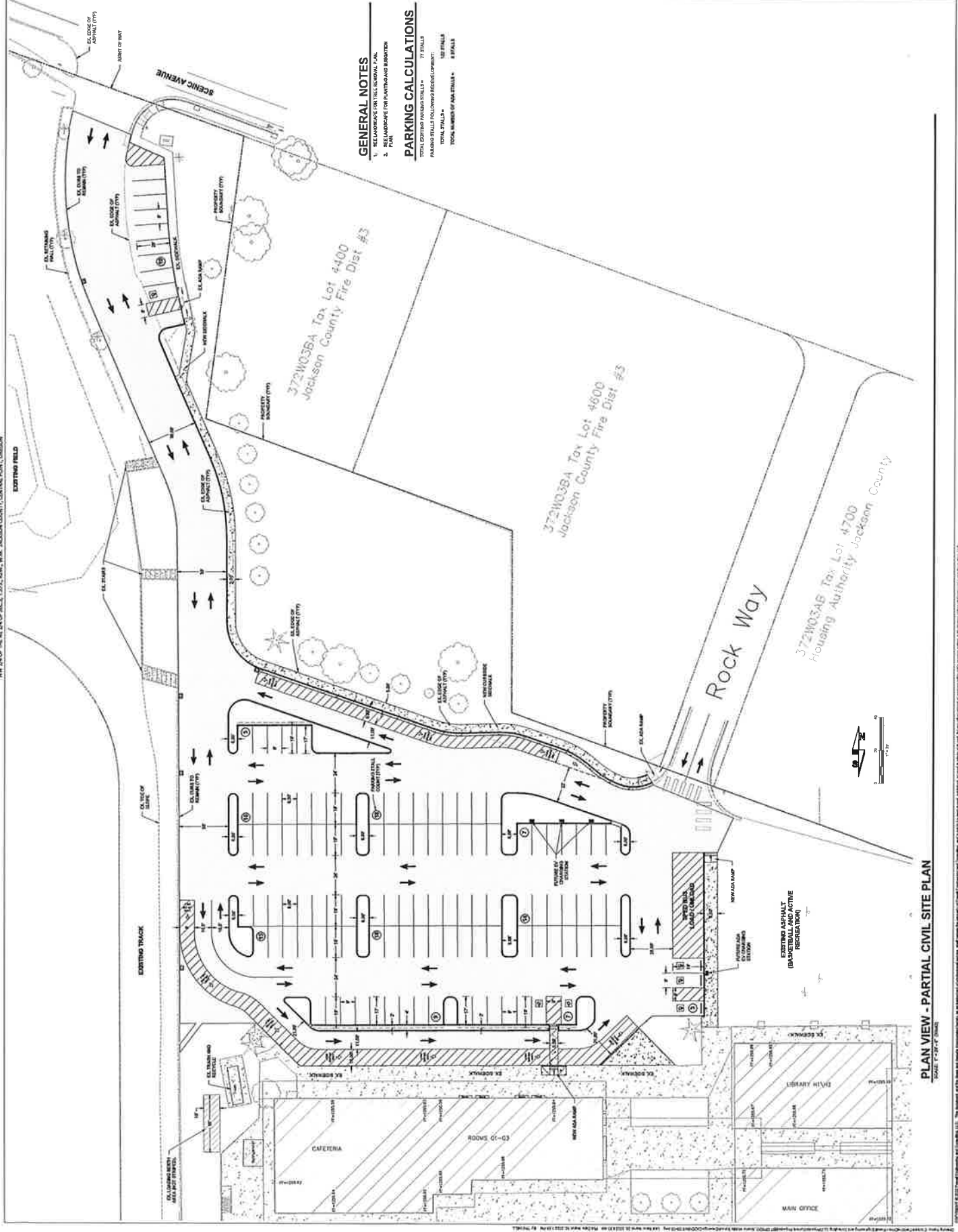
1955 SCENIC AVE
 CENTRAL POINT, OR
 97502

Attachment "A-1"

No.	Description	Date

Project Number: 2004.8
 Date: 03.30.2022

SITE PLAN REVIEW
 PARTIAL CIVIL
 SITE PLAN



GENERAL NOTES

- SEE LANDSCAPE FOR TREE REMOVAL PLAN.
- SEE LANDSCAPE FOR PLANTING AND IRRIGATION.
- SEE UTILITY LOCATIONS.

PARKING CALCULATIONS

TOTAL EXISTING PARKING STALLS = 77 STALLS
 PARKING STALLS FOLLOWING 12' WHEELBASE: 152 STALLS
 TOTAL STALLS = 229 STALLS
 TOTAL NUMBER OF ADA STALLS = 8 STALLS

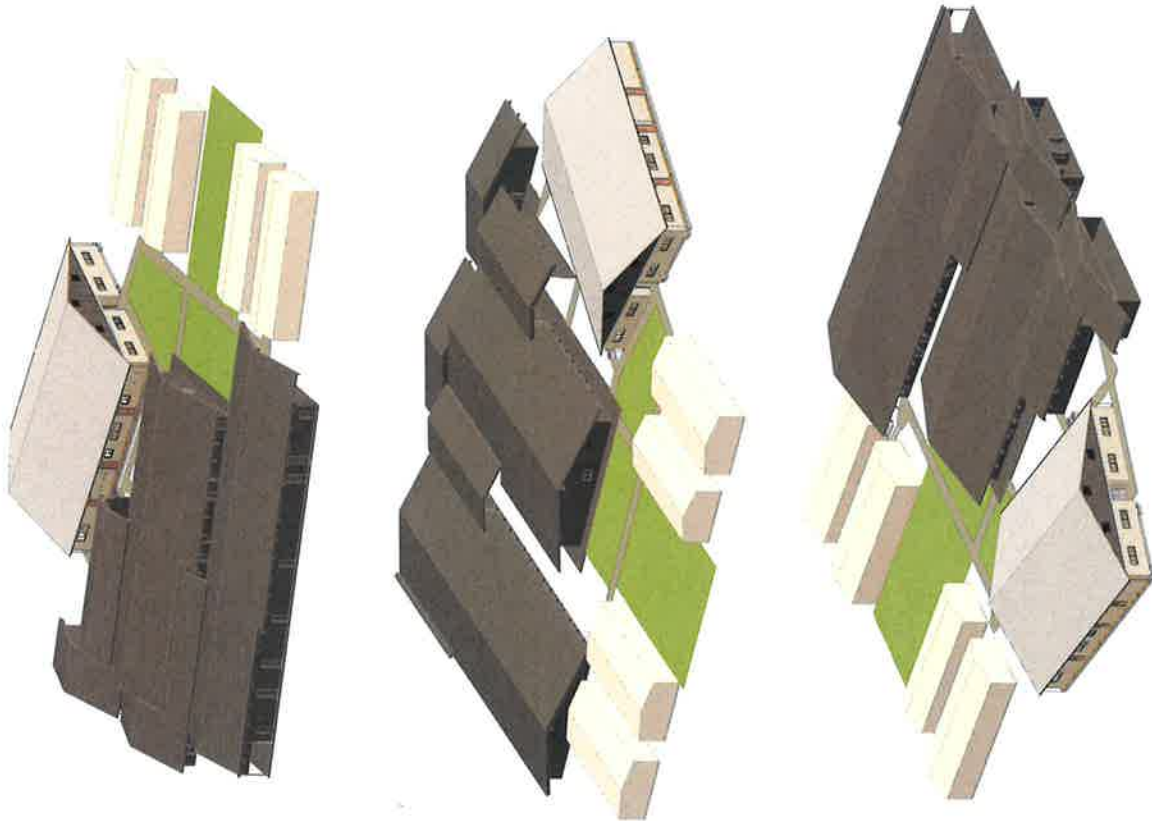
PLAN VIEW - PARTIAL CIVIL SITE PLAN
 SCALE: 1" = 20'-0" (AS SHOWN)

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1 ENLARGED SITE PLAN
1" = 30'

Exhibit "S-1"
Page 1 of 1



SITE PLAN
SCENIC MIDDLE SCHOOL NEW CLASSROOMS
1955 Scenic Ave, Central Point, OR 97502
03.08.2022

ORW ARCHITECTURE, P.C.

No.	Description	Date

Project Number: 200168
 Date: 03/20/2022

SITE PLAN REVIEW

LANDSCAPE
 SITE PLAN
 WITH FENCES
 AND GATES

L1.00

Attachment "A-3"

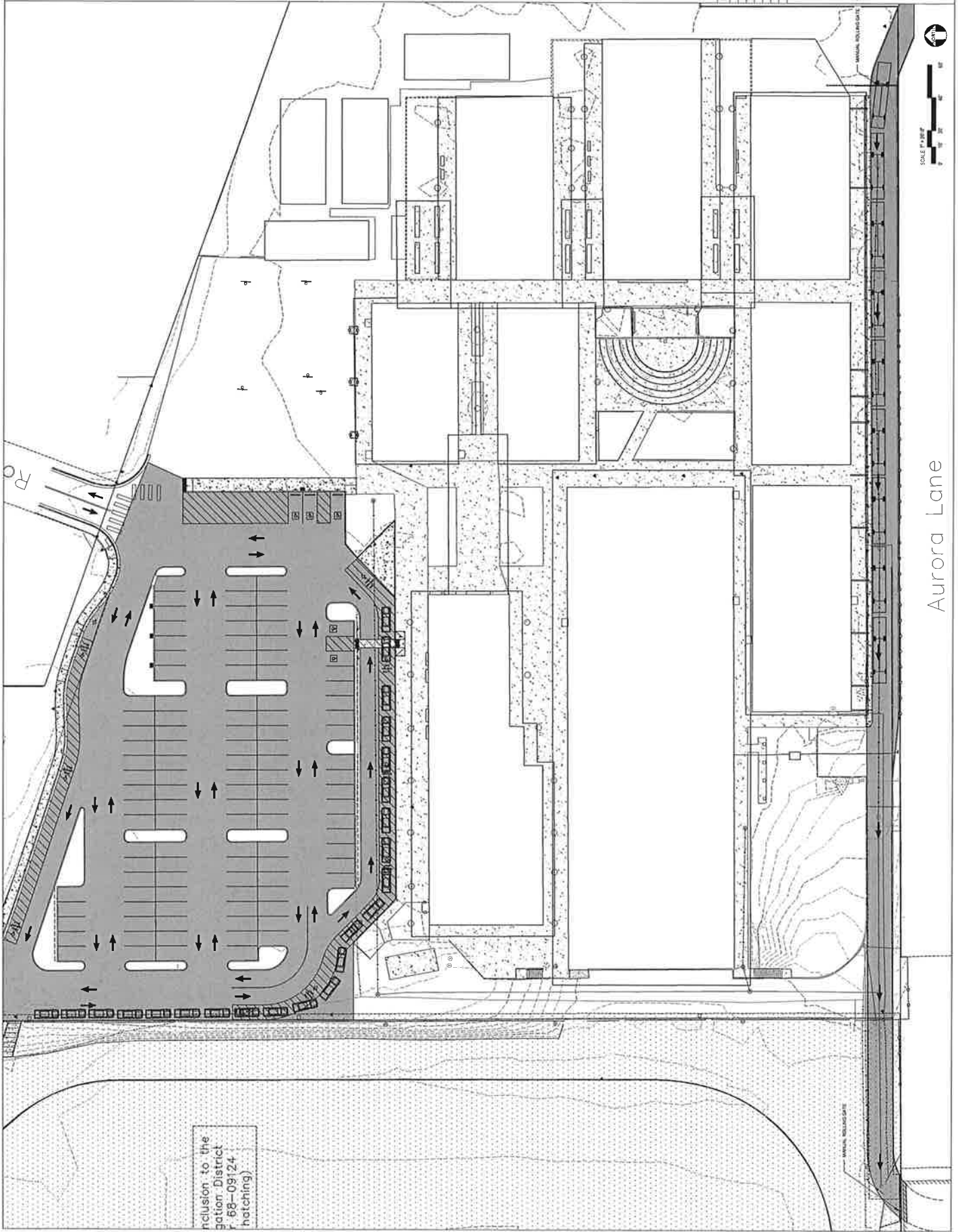
JACKSON COUNTY
 DISTRICT #4
 SCENIC MIDDLE
 SCHOOL PARKING
 LOT IMPROVEMENTS

1955 SCENIC AVE.
 CENTRAL POINT, OR
 97502



BBT ARCHITECTS

1140 Washington Ave., Suite 200
 Bend, Oregon 97702
 1.541.922.5535 | 1.541.989.0033



Inclusion to the
 Station District
 188-09124
 hatching)

Aurora Lane



EXHIBIT "A"
SUPPLEMENTAL FINDINGS
SITE PLAN REVIEW
37-2W-03AB TAX LOT 4300

A. Proposal.

Jackson County School District No. 6 ("Applicant"), is the owner of certain real property, located in Central Point, Oregon, and commonly known as Township 37 South, Range 2 West, Section 03AB, Tax Lot 4300 ("the subject property"). The subject property has been developed with Scenic Middle School since at least 1966, prior to any zoning laws or regulation. Consequently, modifications and upgrades to certain portions of the existing facility are necessary.

B. Schedule of Exhibits.

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

EXHIBIT "A":	Supplemental Findings
EXHIBIT "B":	Site Plan / Landscape Plan / Irrigation Plan
EXHIBIT "C":	Assessor's Map
EXHIBIT "D":	Zoning Map
EXHIBIT "E":	SFHA/Stream/Wetland Map
EXHIBIT "F":	Aerial Photograph
EXHIBIT "G":	Site Photographs
EXHIBIT "H":	Building Inventory with square footages
EXHIBIT "I":	School Bus schematics
EXHIBIT "J":	Bicycle Parking Needs Analysis Letter
EXHIBIT "K":	Agent Authorization

C. Background.

The subject property is approximately 13.58 acres in size, is zoned "Civic" and is developed with Scenic Middle School, a pre-existing educational facility comprised of several "stick built" structures attached via covered walkways and four (4) modular buildings, housing two (2) classrooms each. Griffin Creek flows westerly of the subject property and although none of Griffin Creek is within the bounds of the subject property, there is associated mapped floodplain ("AE" zone) which extends across the southwestern corner of the subject property across the western and southern portions of the existing dirt running track and interior lawn of the same. There is existing 5' cyclone (chain-link) fencing, free of privacy slats and potential debris obstruction, in the case of a flood event. A portion of the existing fencing will be replaced by a "rolling gate" panel and the portion of the bus loop which traverses this portion of the property will be paved, requiring a Type 1 floodplain development permit pursuant to CPMC Section 8.24.090. Applicant will file the requisite and obtain the necessary approval prior to any development within the floodplain. A separate "Type C" variance application for a bus loop proposed for location along the southern boundary of the subject property has been submitted for concurrent review. The variance requested

is for adjustment to the required buffer landscaping along the southern boundary of the subject property due to the lack of space between pre-existing buildings and the property boundary which precludes accommodation of both. The landscape buffer(s) required are 10' where adjacent to Aurora Lane and 20' where adjacent to the residentially zoned properties located at either end of the proposed bus loop. Tax Lot 5003 (37-2W-03AB) to the east where the busses will enter the loop on school property and Tax Lot 124 (37-2W-03AC) located to the west and south of the proposed ramp, which will exit the school grounds via Comet Avenue. The Variance application also addresses existing vegetation on the northwestern portion of the property with frontage on Scenic Avenue. The subject property is *not* located within a transit-oriented development district (TOD).

D. Applicable Standards and Criteria.

The standards applicable to this Application are set forth in Central Point Municipal Code ("CPMC") Sections 8.24, 17.13, 17.29, 17.64 17.72 and 17.75, which are set forth as follows:

1. CPMC 8.24 Flood Damage Prevention

8.24.090: Requirement for a floodplain development permit.

A. A floodplain development permit shall be required prior to initiating development activities in any special flood hazard areas as established in Section 8.24.070. The permit shall be for all improvements or structures (including manufactured homes and fences, as set forth in Sections 8.24.050, 8.24.250 and 8.24.260), and for all development including fill and other activities, also set forth in Section 8.24.260. Floodplain development permits shall be subject to the review procedures based on the type of development activity proposed, as set forth below:

1. Section 17.05.200, Type I procedure (administrative), applies to the following floodplain development projects:

- a. Site improvements and construction, including but not limited to new construction, additions, remodels, repairs and renovations located outside a regulatory floodway; [CPMC 8.24.090]**

Applicant's Findings: The Applicant proposes to modify the existing fencing as it abuts Comet Avenue to replace swinging panels for opening and closure, with a sliding gate panel as well as paving of the proposed bus loop. The proposed improvements are not located within the floodway, therefore, a Type 1 floodplain development permit will be required. Applicant agrees to obtain such permit prior to commencement of any grading and paving or replacement of the gate panel.

2. CPMC 17.13 Exceptions to Code Standards. The applicable provisions of CPMC 17.13 are set forth as follows:

17.13.200: Variances - Applicability

A. *Exceptions and Modifications Versus Variances.*

A code standard or approval criterion (“code section”) may be modified without approval of a variance if the applicable code section expressly allows exceptions or modifications. If the code section does not expressly provide for exceptions or modifications, then a variance is required to modify that code section and the provisions of this chapter apply. [CPMC 17.13.200(A)]

Applicant’s Findings: A request for variance to the street frontage landscaping requirements, as applied along the southern and northwestern boundaries of the subject property, has been concurrently submitted for review. CPMC Code Section 17.75.039 “Off-street parking design and development standards” subsection “G” and specifically; Table 17.75.03 “PARKING/LOADING FACILITY PERIMETER AND STREET FRONTAGE LANDSCAPING STANDARDS” does not expressly provide for exceptions or modifications. Therefore, the variance procedure is required.

B. *Combining Variances with Other Approvals; Permit Approvals by Other Agencies.*

Variance requests may be combined with and reviewed concurrently by the city approval body with other land use and development applications (e.g., development review, site design review, subdivision, conditional use, etc.); however, some variances may be subject to approval by other permitting agencies, such as ODOT in the case of state highway access. [CPMC 17.13.200(B)]

Applicant’s Findings: As identified within findings found above, addressing CPMC 17.13.200(A), a request for variance to the street frontage landscaping requirements as applied along the southern and northwestern boundaries of the subject property, has been submitted for concurrent review, in tandem with this site plan review application for parking lot reconfiguration and modification.

C. *Types of Variances.*

As provided in Sections 17.13.300, 17.13.400 and 17.13.500, there are three types of variances (Class A, B, or C). The type of variance required depends on the extent of the variance request and the discretion involved in the decision-making process. (Ord. 1874 §5(part), 2006). [CPMC 17.13.200(C)]

Applicant’s Findings: The proposal exceeds the thresholds of CPMC Section 17.13.300 and there is no applicable option found within Section 17.13.400 to address the need for the variance. Consequently, CPMC Section 17.13.500 is applicable and a separate Type III application for a Class “C” Variance has been submitted for concurrent review with this application.

3. CPMC 17.29 Civic District. The applicable provisions of CPMC 17.29 are set forth as follows:

17.29.040: Civic Use Types

E. *Schools.*

Public and private kindergarten, primary, elementary, middle, junior high, or high schools that provide state mandated basic education and colleges and trade schools.

[CPMC 17.29.040(E)]

Applicant's Findings: The subject property is located within the Civic zoning district. The primary use of the subject property is a public school (Scenic Middle School). The proposed is for modifications to the existing parking facility. Consequently, the pre-existing "school use" and the proposed modification thereof, is a permitted ("P") use within the Civic district pursuant to CPMC table 17.29.050.

4. **CPMC 17.64 Off-Street Parking and Loading.** The applicable provisions of CPMC 17.64 are set forth as follows:

17.64.020 Applicability

In all districts, in connection with any use whatsoever, there shall be provided at the time any building or structure is erected, enlarged or increased in capacity, or the use is changed or increased in intensity, off-street parking spaces for automobiles, off-street loading, and bicycle parking facilities for the enlarged or increased portion in the case of an addition or for the building, structure or use in other cases, in accordance with the requirements herein. All parking shall be developed and maintained to the standards set forth in Section 17.75.039, Off-street parking design and development standards. [CPMC 17.64.020]

Applicant's Findings: The Applicant proposes a two-phase approach to upgraded development of the school grounds. The current proposal ("Phase 1") does not incorporate the modification of any existing structures nor the addition of any new structures however, a subsequent site plan review ("Phase 2") for the relocation of the existing modulars and addition of a new modular building which will contain six (6) new classrooms will be submitted. The current Phase 1 proposal to upgrade the parking lot incorporates those six (6) classrooms in the "count" (3 seats / classroom) necessary for calculation of adequate parking spaces to serve the continued middle school use pursuant to CPMC Table 17.64.02 B. The dual phase approach for site design and architectural review of the proposed upgrades to the school facility is requested due to construction timelines. The interior layout of the 6 classrooms and location where the new building will be placed and existing modulars moved to, is in the penultimate phase. the Applicant wishes to begin construction of the revised parking lot as soon as possible and reasonably, the bus ramp should be constructed and paved concurrently. The Applicant understands that submission of the subsequent site plan review for the new structural addition, accounting for the six (6) additional classrooms and relocation of the existing modulars and approval of the necessary floodplain development permit for the bus loop and rolling gate may become a condition of this approval, prior to issuance of permits for paving of the new parking area and bus loop.

17.64.030: Off-street loading

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

space in accordance with the standards set forth in Table 17.64.01, Off-Street Loading Requirements. [CPMC 17.64.030(A)]

Table 17.64.01: Off-Street Loading Requirements

Use Categories	Off-Street Loading Berth Requirement (fractions rounded up to the closest whole number)
OFFICES, HOTELS AND OTHER NONGOODS HANDLING USES	
Sq. Ft. of Floor Area	No. of Loading Berths Required
0-50,000	0
50,001-200,000	1
Over 200,000	2 plus 1 for each 100,000 sq. ft.

Applicant’s Findings: Exhibit “H” identifies current structures existing onsite. The exhibit was prepared using historic Jackson County Assessment field sketches, architectural renderings more recently prepared which incorporate the four (4) existing modular structures and a sheet which accounts for the largest option being considered for the new modular building which will house the six (6) new classrooms that will be reviewed in Phase 2 of the site plan review process. The table below identifies total square footages of both existing and proposed structures:

Building			Building		
		Square Footage			Square Footage
1.	<i>Cafeteria/Band</i>	11,945	8.	<i>Building “D”</i>	8,555
2.	<i>Library</i>	4,845	9.	<i>Building “E”</i>	6,490
3.	<i>Office</i>	4,750	10.	<i>Modular “1”</i>	1,334
4.	<i>Gym/Locker Room</i>	29,000	11.	<i>Modular “2”</i>	1,715
5.	<i>Building “A”</i>	8,024	12.	<i>Modular “3”</i>	1,715
6.	<i>Building “B”</i>	5,723	13.	<i>Modular “4”</i>	1,715
7.	<i>Building “C”</i>	6,490	14.	<i>New Modular</i>	8,540
			TOTAL		100,841

Pursuant to CPMC Table 17.64.01, one (1) off-street loading space is required. The existing off-street loading space is located west of the cafeteria building.

B. A loading berth shall not be less than ten feet wide, thirty-five feet long and have a height clearance of twelve feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased. [CPMC 17.64.030(B)]

Applicant’s Findings: As existing, the off-street loading space located west of the cafeteria building, meets the requirements of this section (*See Exhibit “B”*, attached hereto). This standard is met.

C. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately meet the needs of the use. [CPMC 17.64.030(C)]

Applicant's Findings: The school and the required off-street loading space (west of the existing cafeteria) already exist and will continue to exist, in conformance with requirements of "subsection B" above (See Exhibit "B").

D. Off-street parking areas used to fulfill the requirements of this title shall not be counted as required loading spaces and shall not be used for loading and unloading operations, except during periods of the day when not required to meet parking needs. [CPMC 17.64.030(D)]

Applicant's Findings: The proposed updated parking area, north of the school buildings, will only be utilized for vehicular parking and will not be used for loading or unloading of goods. The one (1) required off-street parking space is not located in the proposed new parking area, it is already located west of the cafeteria (See Exhibit "B"). The standard of this section is met.

E. In no case shall any portion of a street or alley be counted as a part of the required parking or loading space, and such spaces shall be designed and located as to avoid undue interference with the public use of streets or alleys. [CPMC 17.64.030(E)]

Applicant's Findings: No portion of a street or alley was counted as a part of the required parking or loading space. This standard is met.

CPMC 17.64.040: Off-street parking requirements.

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

The requirement for any use not specifically listed shall be determined by the community development director on the basis of requirements for similar uses, and on the basis of evidence of actual demand created by similar uses in the city and elsewhere, and such other traffic engineering or planning data as may be available and appropriate to the establishment of a minimum requirement. [CPMC 17.64.040]

CPMC Table 17.64.02 B: Non-residential Off Street Parking Requirements

Use Categories	Minimum and Maximum Vehicle Parking Requirement (fractions rounded down to the closest whole number)
SCHOOLS	
Elementary and Junior High Schools (public and private/parochial)	3 spaces per classroom, or 1 space per 4 seats in the main auditorium, gymnasium, or other place available for public assembly, whichever is greater.

A. Calculation of Required Off-Street Parking.

Off-street parking facility requirements set forth in Table 17.64.02A, Residential Off-Street Parking Requirements, and Table 17.64.020 B, Non-Residential Off-Street Parking Requirements, shall be applied as follows:

- 1. Where the application of the schedule results in a fractional requirement it shall be rounded down to the lowest whole number.**
- 2. For purposes of this chapter, gross floor area shall not include enclosed or covered areas used for off-street parking or loading, or bicycle facilities.**
- 3. Where uses or activities subject to differing requirements are located in the same structure or on the same site, or are intended to be served by a common facility, the total parking requirement shall be the sum of the requirements for each use or activity computed separately, except as adjusted through the site plan and architectural review process under the provisions of subsection (B) of this section. The community development director, when issuing a permit(s) for multiple uses on a site, may restrict the hours of operation or place other conditions on the multiple uses so that parking needs do not overlap and may then modify the total parking requirement to be based on the most intense combination of uses at any one time.**
- 4. Where requirements are established on the basis of seats or person capacity, the building regulations provisions applicable at the time of determination shall be used to define capacity.**
- 5. Where residential use is conducted together with or accessory to other permitted uses, applicable residential requirements shall apply in addition to other non-residential requirements.**
- 6. The parking requirements outlined in Table 17.64.02A, Residential Off-Street Parking Standards, and Table 17.64.02B, Non-Residential Off-Street Parking Requirements, include parking for handicapped persons shall be provided pursuant to the requirements of subsection C of this section, Accessible Parking Requirements. [CPMC 17.64.040(A)]**

Applicant's Findings: The school use is non-residential in nature and the "seat count" is the only mechanism Table 17.64.02(B) for calculating required parking spaces for Elementary and Junior High Schools, there is no calculation by square footage option available.

There are currently 37 classrooms on-site, including those located in the four (4) existing modular structures. The new modular building which will be proposed in the Phase 2 site plan review will add another six (6) classrooms for a total of 43 classrooms and therefore, requiring 129 parking spaces on-site ($43 \times 3 = 129$).

///

B. Adjustments to Non-Residential Off-Street Vehicle Parking.

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

1. Reductions.

The maximum off-street parking requirements may be reduced by no more than twenty percent. [CPMC 17.64.040(B)]

Applicant's Findings: The Applicant requests a reduction of approximately 5.5% in required parking spaces for a proposed total of 122 parking spaces. The request does not exceed the 20% reduction threshold therefore, this standard is met.

C. Accessible Parking Requirements.

Where parking is provided accessory to a building, accessible parking shall be provided, constructed, striped, signed and maintained as required by ORS 447.233, and Section 1106 of the latest Oregon Structural Specialty Code as set forth in this section.

- 1. The minimum number of accessible parking spaces shall be provided for all uses in accordance with the standards in Oregon Structural Specialty Code, Minimum Number of Accessible Parking Spaces. Accessible parking spaces shall be counted toward meeting off-street parking requirements in Tables 17.64.02A and 17.64.02B, Residential and Non-Residential Off-Street Parking Requirements. The accessible parking requirements are minimum requirements and are not subject to reductions per subsection (B)(1) of this section. [CPMC 17.64.040(C)]**

Applicant's Findings: As identified on the submitted site plan (See Exhibit "B") necessary and required accessible parking will be provided, constructed, striped, signed and maintained as required by ORS 447.233, and Section 1106 of the latest Oregon Structural Specialty Code. The 2019 Oregon Structural Specialty Code (OSSC) Table 1106.1 Accessible Parking Spaces requires a minimum of 5 accessible spaces pursuant to the request for reduction and allowance of 122 total parking spaces:

TOTAL PARKING SPACES PROVIDED IN PARKING FACILITIES	REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150 122 spaces proposed →	5
151 to 200	6

As evidenced on the submitted site plan, five (5) accessible spaces (included in the total count of proposed 122 spaces) have been provided adjacent to the northern entry points of the existing school facility and a sixth (6) space has been provided in the smaller parking area in the northwest corner of the property, adjacent to the baseball field and the ingress/egress point from Scenic

Avenue. The standard of this section is exceeded.

D. *Shared Parking.*

Required parking facilities for two or more uses, structures, or parcels of land in any commercial (C) or industrial (M) district may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses); and provided, that prior to the issuance of any building permit for the property that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. The city may approve owner requests for shared parking through the site plan and architectural review process. [CPMC 17.64.040(D)]

Applicant's Findings: The proposed development is occurring on the grounds of a secure facility and there will be no shared parking. The standards of this section are not applicable.

E. *Off-Site Parking.*

Except for single-family dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within three hundred feet of the use it serves and the city has approved the off-site parking through the site plan and architectural review process. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument in the same manner as set forth in subsection (A)(3) of this section. [CPMC 17.64.040(E)]

Applicant's Findings: All 122 proposed parking spaces are located on the subject property. The standards of this section are not applicable.

F. *Mixed Uses.*

If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (see subsection D of this section, Shared Parking). [CPMC 17.64.040(F)]

Applicant's Findings: The proposed development is occurring on the grounds of a secure school facility no additional uses are proposed. The standards of this section are not applicable.

G. *Compact Car Adjustment.*

- 1. Any parking lot or otherwise required public parking area containing ten or more parking spaces shall be eligible for a compact car adjustment, provided all requirements of this chapter are adequately met.**
- 2. Up to, but not exceeding, twenty-five percent of the total number of required parking spaces may be designed and provided for the parking of compact cars.**

- 3. All compact parking spaces must be identified for compact parking only. Compact parking spaces shall be designed in accordance with the minimum standards set forth in Section 17.75.039(B), Parking Stall Minimum Dimensions. [CPMC 17.64.040(G)]**

Applicant's Findings: No adjustments to the size of required parking spaces are proposed for compact vehicles. One hundred sixteen (116) spaces will be standard size parking spaces and six (6) will be Accessible space compliant, as subsequently identified and addressed within findings addressing CPMC Section 17.75 below.

H. Change of Use.

Prior to the change of use of a building or structure the applicant shall demonstrate that adequate parking spaces are available to accommodate the new use(s) as required in this chapter. [CPMC 17.64.040(H)]

Applicant's Findings: There is no proposed change from the current school use of the property. The current proposal is strictly regarding access, circulation and parking to serve the existing school facility. This Phase 1 site plan review application accounts for the six (6) classrooms which will be located in the new structure to be proposed within the Phase 2 site plan review application. The proposal is presented in two (2) phases of development due to the need to begin construction of the parking lot and bus loop in advance of the review and approval for the building addition that will be addressed within the Phase 2 site plan and architectural review.

I. Bicycle Parking.

Bicycle parking shall be provided in accordance with Table 17.64.04, Bicycle Parking Requirements. [CPMC 17.64.040(I)]

Table 17.64.04: Bicycle Parking Requirements

Land Use	Minimum Required
Institutional	
Schools, Junior High/Middle School	4 spaces per classroom

Applicant's Findings: Upon completion of the Phase 2 site plan review and construction addition of the new modular structure, there will be a total of 43 classrooms. Pursuant to CPMC Table 17.64.04, 180 bicycle parking spaces will be required. Currently, there are 75 bicycle parking spaces available for use by students and staff. This required number of spaces (180) far exceeds the number of bicycles the district observes students utilizing. A bicycle parking needs analysis is further addressed below when addressing CPMC Section 17.75.039 (H)(3)(b) and is attached hereto as **Exhibit "J"**.

- 5. CPMC 17.72 Site Plan and Architectural Review.** The applicable provisions of CPMC 17.72 are set forth as follows:

///

17.72.020: Applicability

B. *Major Projects.*

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

1. New construction, including private and public projects, that:

- a. Includes a new building or building addition of five thousand square feet or more;**
- b. Includes the construction of a parking lot of ten or more parking spaces; or**
- c. Requires one or more variances or conditional use permits and, in the judgement of the director, will have a significant effect upon the aesthetic character of the city of the surrounding area. [CPMC 17.72.020(B)]**

Applicant’s Findings: Although a parking lot containing 77 (more than 10) spaces already exists, the current proposal adds 45 more parking spaces. As well, a subsequent variance request for deviation from the street frontage landscaping buffer requirements for the bus loop at the southern end of the parcel and the street frontage on Scenic Avenue in the northwestern corner of the subject property has been submitted for concurrent review. Thus, subsections (b) and (c) of this section are applicable and the proposal constitutes a “Major Project”. Therefore, the Type 2 procedure pursued through submission of this application is appropriate.

17.72.040: Site Plan and Architectural Standards

The applicable provisions of CPMC 17.72.040 are set forth as follows:

A. Applicable site plan, landscaping, and architectural design standards as set forth in Chapter 17.75, Design and Development Standards; [CPMC 17.72.040(A)]

Applicant’s Findings: A site plans and landscaping plans have been submitted as part of Exhibit “B”. No structural improvements are proposed within this Phase 1 site plan review application.

B. City of Central Point Department of Public Works Department Standard Specifications and Uniform Standard Details for Public Works Construction; [CPMC 17.72.040(B)]

Applicant’s Findings: The proposal shall meet the City of Central Point Department of Public Works Department Standard Specifications and Uniform Standard Details for Public Works Construction.

C. Accessibility and sufficiency of firefighting facilities to such a standard as to provide for the reasonable safety of life, limb, and property, including, but not limited to,

suitable gates, access roads and fire lanes so that all buildings on the premises are accessible to fire apparatus. [CPMC 17.72.040(C)]

Applicant's Findings: No change to existing access is proposed, nor are any new gates. The existing portion of the southern boundary cyclone fence as abutting Comet Avenue will be replaced with rolling gate. Jackson County Fire District No. 3 ("JCFD#3") will be provided the same access it currently has in this location with the existing "swinging" fence panel. Coincidentally, Jackson County Fire District No. 3 has constructed a new (2019) fire station on adjacent Tax Lot 4600 (37-2W-03AB) and has direct access to the school grounds via Rock Way which terminates into the northern boundary of the subject property. Further, the southern boundary of Tax Lot 4600 abuts the subject property and in the event of an emergency, vehicular access over the curb delineating the northern loading area (northern portion of the parking lot on the subject property) would not be an impediment for emergency vehicle access if absolutely necessary. Gates which the fire district already has access through, along the southern fence line, also provide direct access to the southern portion of the school property (*See aerial imagery at Exhibit "F" and photographs of District #3 signage posted on southern fence at Exhibit "G"*).

17.72.050: Conditions on site plan and architectural review approval

The approving authority may attach to any site plan and architectural review approval given under this chapter specific conditions, or restrictions, deemed necessary to protect the public health, safety or welfare including, but not limited to, the following:

- A. Construction and installation of any on-site or off-site improvements, including but not limited to sidewalks, curbs, gutters, streets, bikeways, street signs and streetlights, traffic control signs and signals, water, storm drainage, sanitary sewer, and park and recreation improvements. In requiring off-site improvements, the city shall find that the improvements are reasonably related to the development and would serve a public purpose such as mitigating the negative impact of the proposed development.**

All improvements required under this subsection shall be made at the expense of the applicant and shall conform to the provisions of the City of Central Point Department of Public Works Department Standard Specifications and Uniform Details for Public Works Construction. However, the city, in its discretion, may modify such standards and determine site-specific design, engineering and construction specifications when appropriate in the particular development; [CPMC 17.72.050(A)]

Applicant's Findings: Applicant understands and accepts the financial responsibility for the expense of completion of improvements required under this section. Any proposed improvements will conform to the provisions of the City of Central Point Department of Public Works Department Standard Specifications and Uniform Details for Public Works Construction. Applicant further understands that the city may modify such standards as site-specific and agrees to compliance with said modifications to the standards, provided such measures are reasonable.

- B. An agreement by the owner of the property to waive, on his or her behalf, and on behalf of all future owners of the land, any objection to the formation of a local improvement district which may be formed in the future to provide any of the**

improvements specified in subsection A of this section; [CPMC 17.72.050(B)]

Applicant's Findings: Applicant understands and agrees to the requirements of this section.

- C. An agreement by the owner of the property to enter into a written deferred improvement agreement providing that one or more of the improvements specified in subsection A of this section shall be made by the owner at some future time to be determined by the city; [CPMC 17.72.050(C)]**

Applicant's Findings: Applicant understands and agrees to the requirements of this section.

- D. Any agreement entered into pursuant to subsections B or C of this section shall be recorded in the county recorder's office and shall be intended to thereafter run with the land, so as to bind future owners of the lands affected to the conditions of the agreement. Any and all recording costs shall be the responsibility of the applicant; and [CPMC 17.72.050(D)]**

Applicant's Findings: Applicant understands and agrees to the requirements of this section.

- E. Any other conditions deemed by the city to be reasonable and necessary in the interests of the public health, safety or welfare. [CPMC 17.72.050(E)]**

Applicant's Findings: Applicant understands that the city may impose additional conditions deemed reasonable and necessary in the interest of the public health, safety or welfare. Applicant agrees to compliance with said potential additional measures, provided such measures are reasonable.

- 6. CPMC 17.75 Design and Development Standards.** The applicable provisions of CPMC 17.75 are set forth as follows:

17.75.020: *Applicability* The regulations set forth in this chapter apply to all development within the city of Central Point. [CPMC 17.75.020]

Applicant's Findings: The subject property is within the city limits of the City of Central Point therefore, this section is applicable.

17.75.031 *General connectivity, circulation and access standards* The purpose of this section is to assure that the connectivity and transportation policies of the city's Transportation System Plan are implemented. In achieving the objective of maintaining and enhancing the city's small-town environment it is the city's goal to base its development pattern on a general circulation grid using a walkable block system. Blocks may be comprised of public/private street right-of-way, or accessways.

A. *Streets and Utilities.*

The public street and utility standards set forth in the City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details

for Public Works Construction shall apply to all development within the city. [CPMC 17.75.031(A)]

Applicant's Findings: Applicant acknowledges this provision.

B. Block Standards. [CPMC 17.75.031(B)]

Applicant's Findings: CPMC Section 17.08.010 "Definitions, specific" provides that:

"Block" means an area completely bounded by streets, or a combination of streets, major rights-of-way, waterways, city boundary or other major physical features."

The subject property does not meet the definition above of a "block". The subject property is bounded along a portion of the southern boundary by a street, Aurora Lane, the city of Central Point boundary (city limits) to the west and has approximately 330.80' of street frontage to the north along Scenic Avenue and approximately 35' of frontage (also to the north) where Rock Way dead ends into the school property. The rest of the property to the north and east are surrounded by other parcels. Therefore, the standards of this section are not applicable.

C. Driveway and Property Access Standards.

Vehicular access to properties shall be located and constructed in accordance with the standards set forth in the City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details for Public Works Construction, Section 320.10.30, Driveway and Property Access. [CPMC 17.75.031(C)]

Applicant's Findings: The two access points located along the northwestern and central-northern property boundary as well as the proposed bus loop on the southern end of the subject property will conform to the provisions of the City of Central Point Department of Public Works Department Standard Specifications and Uniform Details for Public Works Construction, Section 320.10.30, Driveway and Property Access.

D. Pedestrian Circulation.

Attractive access routes for pedestrian travel shall be provided through the public sidewalk system, and where necessary supplemented through the use of pedestrian accessways as required to accomplish the following:

- 1. Reducing distances between destinations or activity areas such as public sidewalks and building entrances;**
- 2. Bridging across barriers and obstacles such as fragmented pathway systems, wide streets, heavy vehicular traffic, and changes in level by connecting pedestrian pathways with clearly marked crossings and inviting sidewalk design;**
- 3. Integrating signage and lighting system which offers interest and safety for pedestrians;**

4. **Connecting parking areas and destinations with retail streets or pedestrian accessways identified through use of distinctive paving materials, pavement striping, grade separation, or landscaping.** [CPMC 17.75.031(D)]

Applicant's Findings: The proposal is for upgrades to an existing parking lot and for creation of a bus loop, serving an existing school. There is no use of the public sidewalk system due to the school being a secure site. As evidenced on the submitted site plan (See **Exhibit "B"**) and within the photographs of the existing pedestrian access points at the southern boundary of the school (See **Exhibit "G"**) well identified pedestrian access points and pathways are present and proposed. Once on school grounds, there are multiple covered walkways that provide safe pedestrian circulation throughout school grounds, most of which are in locations where vehicles will never be, due to the clustering of existing structures.

E. Accessways, Pedestrian.

Pedestrian accessways may be used to meet the block requirements of subsection B of this section. When used pedestrian accessways shall be developed as illustrated in Figure 17.75.01. All landscaped areas next to pedestrian accessways shall be maintained, or plant materials chosen, to maintain a clear sight zone between three and eight feet from the ground level. [CPMC 17.75.031(E)]

Applicant's Findings: As identified above, the subject property is not a "block" as defined by CPMC Section 17.08.010 and is a secure facility that is not open to the general public for the purposes of pedestrian traffic to move to and from adjacent sites. Therefore, this section is not applicable.

F. Retail Street.

Retail streets may be used to meet the block requirements of subsection B of this section. When used retail streets shall be developed as illustrated in Figure 17.75.02. [CPMC 17.75.031(F)]

Applicant's Findings: No new streets are proposed, and the development is not for retail use it is a parking lot for an existing educational facility. Further, as identified above, the subject property is not a "block" as defined by CPMC Section 17.08.010. Therefore, this section is not applicable.

17.75.039: Off-street parking design and development standards *All off-street vehicular parking spaces shall be improved to the following standards:*

A. Connectivity.

Parking lots for new development shall be designed to provide vehicular and pedestrian connections to adjacent sites unless as a result of any of the following such connections are not possible:

1. **Topographic constraints;**
2. **Existing development patterns on abutting property which preclude a logical connection;**
3. **Traffic safety concerns; or**

4. Protection of significant natural resources. [CPMC 17.75.039(A)]

Applicant's Findings: The proposed parking facility will provide access to Scenic Avenue at the northwest corner of the subject property, access to newly developed Rock Way in the central portion of the northern property boundary for general traffic, and ingress from Aurora Lane and egress onto Comet Way (for school busses only). None of this "connectivity" is for general public use as the middle school is maintained as a secure facility, precluding any interconnectivity to surrounding properties for both vehicular and pedestrian traffic.

B. Parking Stall Minimum Dimensions.

Standard parking spaces shall conform to the following standards and the dimensions in Figure 17.75.03 and Table 17.75.02; provided, that compact parking spaces permitted in accordance with Section 17.64.040(G) shall have the following minimum dimensions:

- 1. Width--Shall be as provided in column B in Table 17.75.02;**
- 2. Length--Shall reduce column C in Table 17.75.02 by no more than three feet.**
[CPMC 17.75.039(B)]

Applicant's Findings: No reduction in parking space sizes for compact vehicles are proposed. All parking spaces are 90° (perpendicular) spaces and the "row #3 option" within that sub-group of table 17.75.02, was utilized to prepare the parking stall dimensions identified on the submitted site plan (See Exhibit "B"). Those dimensions are identified and addressed within subsection E(1) below.

C. Access.

There shall be adequate provision for ingress and egress to all parking spaces. [CPMC 17.75.039(C)]

Applicant's Findings: Ingress and egress to the existing parking area, proposed for upgrade within this application, is provided by Scenic Avenue at the northwestern corner of the subject property as well as from newly constructed Rock Way, located in the central portion of the northern property boundary.

D. Driveways.

Driveway width shall be measured at the driveway's narrowest point, including the curb cut. The design and construction of driveways shall be as set forth in the Standard Specifications and Public Works Department Standards and Specifications.
[CPMC 17.75.039(D)]

Applicant's Findings: As evidenced on the submitted site plan (See Exhibit "B"), driveway widths have been measured at the driveway's narrowest point, including the curb cut. The driveways have been designed and will be constructed as set forth in the Standard Specifications and Public Works Department Standards and Specifications.

///

E. Improvement of Parking Spaces.

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

Applicant's Findings: The parking lot has been designed in compliance with the provisions and specifications of this section. The proposed parking spaces are all perpendicular (90° angle) spaces and have been designed in accordance with the provisions of CPMC Table 17.75.02:

Table 17.75.02: Parking Dimension Schedule

A	B	C	D	E	F1	F2
90 Degrees	9.00	19.00**	24.00**	9.00	62.00	n.a.

Per the submitted parking plan (*See Exhibit "B"*, the site plan) the proposed parking stalls and associated dimensional requirements were designed to meet the standards identified in "row 3" of column "B" (column "A" section "90 degrees") in the table above.

- 2. All areas utilized for off-street parking, access and maneuvering of vehicles shall be paved and striped to the standards of the city of Central Point for all-weather use and shall be adequately drained, including prevention of the flow of runoff water across sidewalks or other pedestrian areas. Required parking areas shall be designed with painted striping or other approved method of delineating the individual spaces, with the exception of lots containing single-family or two-family dwellings.**

Applicant's Findings: The parking lot will be paved and striped as identified on the attached site plan and a drainage plan for the parking lot has also been included (*See Exhibit "B"*). As proposed, the standards of this section are feasibly met.

- 3. Parking spaces shall be designed so that no backing movements or other maneuvering within a street or other public right-of-way shall be necessary, except for one- and two-family dwellings with frontage on a local street per the city of Central Point street classification map.**

Applicant's Findings: The proposed parking lot is in the same location in which it has always existed and no maneuvering within a street or other public right of way is necessary to negotiate ingress and egress from the parking area (*See Exhibit "B"*).

- 4. Any lighting used to illuminate off-street parking or loading areas shall be so arranged as to direct the light away from adjacent streets or properties.**

Applicant's Findings: Applicant agrees to the provision of this section.

5. **Service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining the lines through points twenty feet from their intersection.**

Applicant's Findings: Service drives have been designed in compliance with the provision of this section (*See Exhibit "B"*).

6. **Parking spaces located along the outer boundaries of a parking lot shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line, a public street, public sidewalk, or a required landscaping area.**

Applicant's Findings: Parking has been designed in compliance with the requirements of this section (*See Exhibit "B"*).

7. **Parking, loading, or vehicle maneuvering areas shall not be located within the front yard area or side yard area of a corner lot abutting a street in any residential (R) district, nor within any portion of a street setback area that is required to be landscaped in any commercial (C) or industrial (M) district.**

Applicant's Findings: The subject property is not a corner lot and not located within a residential (R) district. The subject property is zoned "Civic", and the residential zones located to the northeast, east and south are buffered from the existing parking area proposed for redevelopment by the existing structures that comprise the school facility. Because Rock Way "dead ends" into the subject property at a 90°, perpendicular angle, there is no street "frontage" along Rock Way. The 10 proposed parking spaces located at the northwestern access point from Scenic Avenue are not located within any setback from Scenic way (*See Exhibit "B"*). As proposed, the standards of this section are met.

8. **Except as provided in subsection (E)(3) of this section, all uses, including one- and two-family dwellings on arterial and collector streets, shall provide adequate vehicle turnaround and maneuvering area through the use of aisle extensions and/or turnaround spaces as illustrated in Figure 17.75.04 and 17.75.05. Functionally equivalent turnaround and maneuvering designs may be permitted by the approving authority through the site plan and architectural review process. [CPMC 17.75.039(E)]**

Applicant's Findings: Compliance with the requirements of this section are demonstrated on the submitted site plan (*See Exhibit "B"*).

F. *Limitation on Use of Parking Areas.*

Required parking areas shall be used exclusively for vehicle parking in conjunction with a permitted use and shall not be reduced or encroached upon in any manner. The parking facilities shall be so designed and maintained as not to constitute a nuisance at any time, and shall be used in such a manner that no hazard to persons or property, or unreasonable impediment to traffic, will result. [CPMC 17.75.039(F)]

Applicant's Findings: Applicant agrees to compliance, at all times, with the requirements of this section.

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

Parking lot landscaping shall be used to reinforce pedestrian and vehicular circulation, including parking lot entries, pedestrian accessways, and parking aisles. To achieve this objective the following minimum standards shall apply; however, additional landscaping may be recommended during the site plan and architectural review process (Chapter 17.72). All parking lots shall be landscaped in accordance with the following standards:

Table 17.75.03: Parking/Loading facility perimeter and street frontage landscaping standards

Street Frontage	Min. Planting Area Width	Plants Required per 100 Lineal Ft. of Street Frontage	
		Trees	Shrubs
Arterial/Collector	15 ft.	4	20
Local	10 ft.	3	15
Perimeter (Abutting) Land Use		Plants Required per 100 Lineal Ft. of Abutting Property	
Residential	20 ft.	4	20
Commercial	10 ft.	3	15
Industrial	5 ft.	2	10

1. *Perimeter and Street Frontage Landscaping Requirements.*

The perimeter and street frontage for all parking facilities shall be landscaped according to the standards set forth in Table 17.75.03.

Applicant's Findings: The parcel is uniquely shaped and very little of it has street frontage. The northwestern corner abuts Scenic Avenue, classified as a Minor Arterial, for a length of approximately 330.80'. Approximately 60' feet of that segment is devoted to paved accessway and is therefore, removed from the total lineal footage used to calculate the number of required trees and shrubs pursuant to CPMC Table 17.75.03. Approximately 220' of frontage exists west of the accessway therefore, nine (9) trees and forty-five (45) shrubs would be required to be planted at a minimum width of 15' along this segment of street frontage. Approximately 50' of frontage exists to the east of the accessway which would require planting of two (2) trees and ten (10) shrubs at a minimum width of 15' along this segment of street frontage pursuant to CPMC Table 17.75.03 (See Exhibit "B").

The southern boundary of the subject property is approximately 890' in length. Approximately 580' of that southern boundary segment abuts Aurora Lane, classified as a "Local" road. 130' abuts tax lot 124 (37-2W-3AC), approximately 50' abuts the "dead end" of Comet Avenue and the remaining approximately 130', abuts tax lot 132 (37-2W-3AC). The school was constructed near 1966 (per the assessment record) and the southernmost structures are located only 30' from the southern property boundary. The addition of the new building in Phase 2 of the project and reconfiguration and upgrade to the existing parking area proposed within this application are due

to increasing populations over the course of the last 56 years since the school was initially constructed. Due to congestion at existing ingress/egress points during peak times on weekdays (drop off and pick up hours) the Applicant proposes alternative placement of a bus loop, to be located on the southern end of the subject property, between the existing structures and southern property boundary which is bounded by existing cyclone/chain-link fencing with privacy slats (*Please See* photographs at **Exhibit “G”**).

Due to existing structural development on the subject property, there is no alternative location which would accommodate the bus drop-off and pick-up loop without displacing necessary open space; the track and interior lawn, the baseball diamond and outfield and the approximately 550 sq/ft basketball court area adjacent to (east of) the parking lot. Therefore, the proposed location is the only location on the subject property that can accommodate bus loop due. Due to existing structural development in proximity to this southern property boundary, situation of the bus loop in this location precludes the Applicant from meeting the standards of Table 17.75.03 which would require a minimum planting width area of 10’ where the property abuts Aurora Lane and a minimum planting width of 20’ where the bus ramp will wrap around Tax Lot 124 (37-2W-03AC) and exit the subject property via Comet Avenue. There are several types of school busses in varying lengths and widths (*See Exhibit “I”*). The largest bus within the diagram, bus type “D” is approximately 8 feet in width¹. The drive surface of the bus loop requested is 16’ in width, which is necessary to accommodate the school bus, its mirrors and the necessary loading/unloading apparatus for wheelchair bound students. Due to the existing structures and uniquely designed (archaic) stormwater drainage system, it would be impossible to meet the requirements of Table 17.75.03.

As well, the variance application includes a request to rely on existing landscaping as sufficient and ample where there is street frontage located along the western end of the northern property boundary in the area of the access drive from Scenic Avenue. Along the approximately 50’ segment to the east of the access drive from Scenic Avenue, there are more mature trees existing than would be required to be planted within this section (requirement of two (2)) and filling of the open lawn space with shrubbery would remove desired open space. As well, the desire to preserve the outfield of the baseball diamond (to the west of the access drive) is considered for the purposes of the variance. A separate Type III application to request a variance to those standards, has been submitted in conjunction with this application.

2. Terminal and Interior Islands.

For parking lots in excess of ten spaces all rows of parking spaces must provide terminal a minimum of six feet in width to protect parked vehicles, provide visibility, confine traffic to aisles and driveways, and provide a minimum of five feet of space for landscaping. In addition, when ten or more vehicles would be parked side-by-side in an abutting configuration, interior landscaped islands a minimum of eight feet wide must be located within the parking row. For parking lots greater than fifty parking spaces, the location of interior landscape island shall be allowed to be consolidated for planting of large stands of trees to break up the scale of the parking lot.

The number of trees required in the interior landscape area shall be dependent

¹ not accounting for the mirrors or the loading/unloading apparatus for wheelchair bound students

upon the location of the parking lot in relation to the building and public right-of-way:

- a. Where the parking lot is located between the building and the public right-of-way, one tree for every four spaces;**

Applicant's Findings: The proposal is in compliance with the requirements of this section (See Exhibit "B").

- b. Where the parking lot is located to the side of the building and partially abuts the public right-of-way, one tree for every six spaces;**

Applicant's Findings: The parking lot is located north of (in "front" of) school buildings and adjacent properties (See Exhibit "B"). This standard is not applicable.

- c. Where the parking lot is located behind the building and is not visible from the public right-of-way, one tree for every eight spaces.**

3. *Bioswales.*

The use of bioswales within parking lots is encouraged and may be located within landscape areas subject to site plan and architectural review. The tree planting standards may be reduced in areas dedicated to bioswales subject to site plan and architectural review. [CPMC 17.75.039(G)]

Applicant's Findings: No bioswales are proposed, this standard is not applicable.

H. *Bicycle Parking.*

The amount of bicycle parking shall be provided in accordance with Section 17.64.040 and constructed in accordance with the following standards:

1. *Location of Bicycle Parking.*

Required bicycle parking facilities shall be located on-site in well lighted, secure locations within fifty feet of well-used entrances and not farther from the entrance than the closest automobile parking space. Bicycle parking shall have direct access to both the public right-of-way and to a main entrance of the principal use. Bicycle parking may also be provided inside a building in suitable, secure and accessible locations. Bicycle parking for multiple uses (such as in a commercial center) may be clustered in one or several locations.

Applicant's Findings: Existing bicycle parking facilities are located adjacent to existing "Modular 1" in a well-lit, secure location, within fifty feet of well-used entrances and not farther from the entrance than the closest automobile parking space. The existing metal bike racks are safely separated from the vehicular parking and maneuvering area by the basketball courts located north of the main office adjacent to "Modular 1". Bicycle parking currently has direct access to both the public right-of-way and to a main entrance of the school.

2. *Bicycle Parking Design Standards.*

All bicycle parking and maneuvering areas shall be constructed to the following minimum design standards:

a. *Surfacing.*

Outdoor bicycle parking facilities shall be surfaced in the same manner as a motor vehicle parking area or with a minimum of a three-inch thickness of hard surfacing (i.e., asphalt, concrete, pavers or similar material). This surface will be maintained in a smooth, durable and well-drained condition.

b. *Parking Space Dimension Standard.*

Bicycle parking spaces shall be at least six feet long and two feet wide with minimum overhead clearance of seven feet.

c. *Lighting.*

Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or motor vehicle parking lots during all hours of use.

d. *Aisles.*

A five-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.

e. *Signs.*

Where bicycle parking facilities are not directly visible from the public rights-of-way, entry and directional signs shall be provided to direct bicycles from the public rights-of-way to the bicycle parking facility.

Applicant's Findings: Please see findings below, addressing CPMC Section 17.75.039(H)(3), requesting an exception to bicycle parking requirements in an effort to avoid unnecessary and costly improvements because the district has identified that the existing bicycle parking facilities are already "under-utilized".

3. *Exceptions to Bicycle Parking.* The approving authority may allow exceptions to the bicycle parking standards as part of the site plan and architectural review process in connection with the following:

a. Temporary uses such as Christmas tree sales; or

b. Uses that do not generate the need for bicycle parking per a bicycle parking demand analysis that demonstrates and documents justification for the proposed reduction. [CPMC 17.75.039(H)]

Applicant's Findings: The proposed improvements do not generate the need for additional bicycle parking than that which already exists onsite (75 spaces). Please see the letter dated March 30, 2022 from the school district, addressing the use or, lack thereof, of existing bicycle parking

facilities (See Exhibit “J”).

17.75.040: Building design standards. *The following building design standards are established to maintain and enhance the small town character of the city: 17.75.041 - Residential building design standards, 17.75.042 - Commercial building design standards and 17.75.043 - Industrial building design standards. [CPMC 17.75.040]*

Applicant’s Findings: No structures are proposed within the current, Phase 1, site plan review application.

17.75.060: Exceptions. *Exceptions to the standards set forth in this subsection shall be processed as a Class “A” variance per Chapter 17.13. (Ord. 1946 (part), 2011). [CPMC 17.75.060]*

Applicant’s Findings: This provision conflicts with the allowances of CPMC Section 17.13.200 which distinguishes “Exceptions and Modifications vs. Variances”. CPMC Section 17.13.200 “Variances – Applicability” subsection “B” states:

“Combining Variances with Other Approvals; Permit Approvals by Other Agencies. Variance requests may be combined with and reviewed concurrently by the city approval body with other land use and development applications (e.g., development review, site design review, subdivision, conditional use, etc.).”


There is no option for exception to the requirements of CPMC Section 17.75.039 (G)(1) and Table 17.75.03 therefore the variance procedure is applicable. Variance Types “A” and “B” do not contain provisions which address the requested variance to the landscaping requirements in the proximity of the proposed bus loop. Therefore, the Class “C”, Type III variance procedure is required and an application for the same has been submitted in conjunction with this application for concurrent review and consideration as part of the total site design review.

E. Conclusion.

Based upon the findings set forth herein and the evidence submitted in conjunction with this Application, the Applicant respectfully contends that the applicable standards and criteria have been met or identified as feasibly met through conditions of approval and the Application should be approved.

Dated this 31st day of March 2022.

O’CONNOR LAW, LLC



Daniel B. O’Connor, OSB No. 950444

C4.0

No.	Description	Date

BBT ARCHITECTS
 1140 W. BENTLEY AVE., SUITE 200
 BEND, OREGON 97702
 541.382.5535 | 541.389.8033

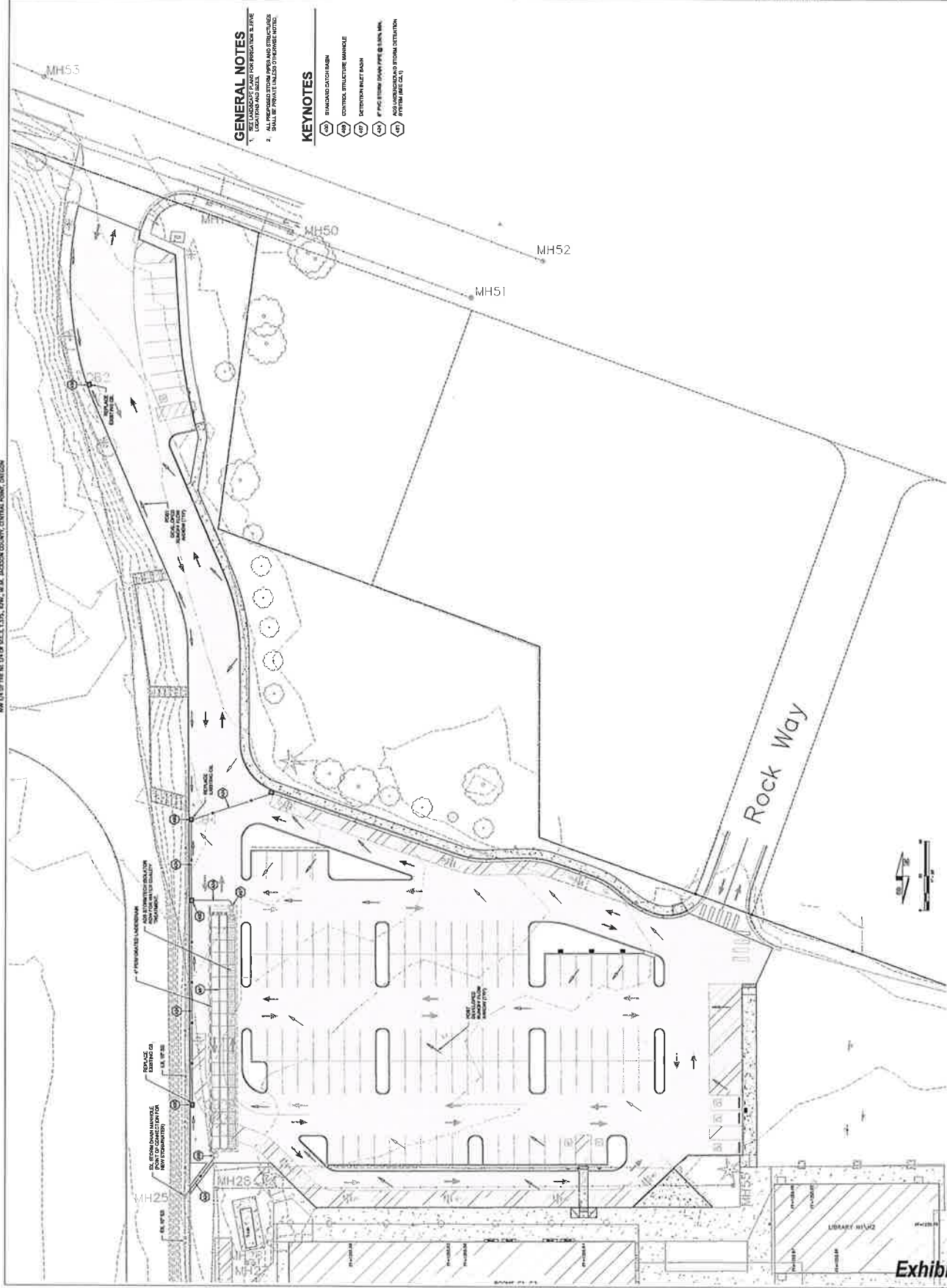


POWELL CONSULTING
 2711 N. MOUNTAIN DR. STE. 200
 BEND, OREGON 97702
 541.382.5535

JACKSON COUNTY
 DISTRICT #6
 SCENIC MIDDLE SCHOOL PARKING
 LOT IMPROVEMENTS
 1955 SCENIC AVE.
 CENTRAL POINT, OR
 97502

GENERAL NOTES
 1. ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OREGON ENGINEERING BOARD'S STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE.
 2. ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE OREGON ENGINEERING BOARD'S STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION AND MAINTENANCE.

- KEYNOTES**
- ① STORMWATER CATCH BASIN
 - ② CONTROL STRUCTURE MANHOLE
 - ③ DETENTION INLET BASIN
 - ④ 12" PVC STORMWATER PIPE @ 2% SLOPE
 - ⑤ 18" CONC. STORMWATER PIPE @ 2% SLOPE
 - ⑥ 24" CONC. STORMWATER PIPE @ 2% SLOPE



PLAN VIEW - PARTIAL DRAINAGE PLAN
 SCALE: 1/4" = 10'-0"

No.	Description	Date

Project Number: 2020.05
 Date: 03/22/2022

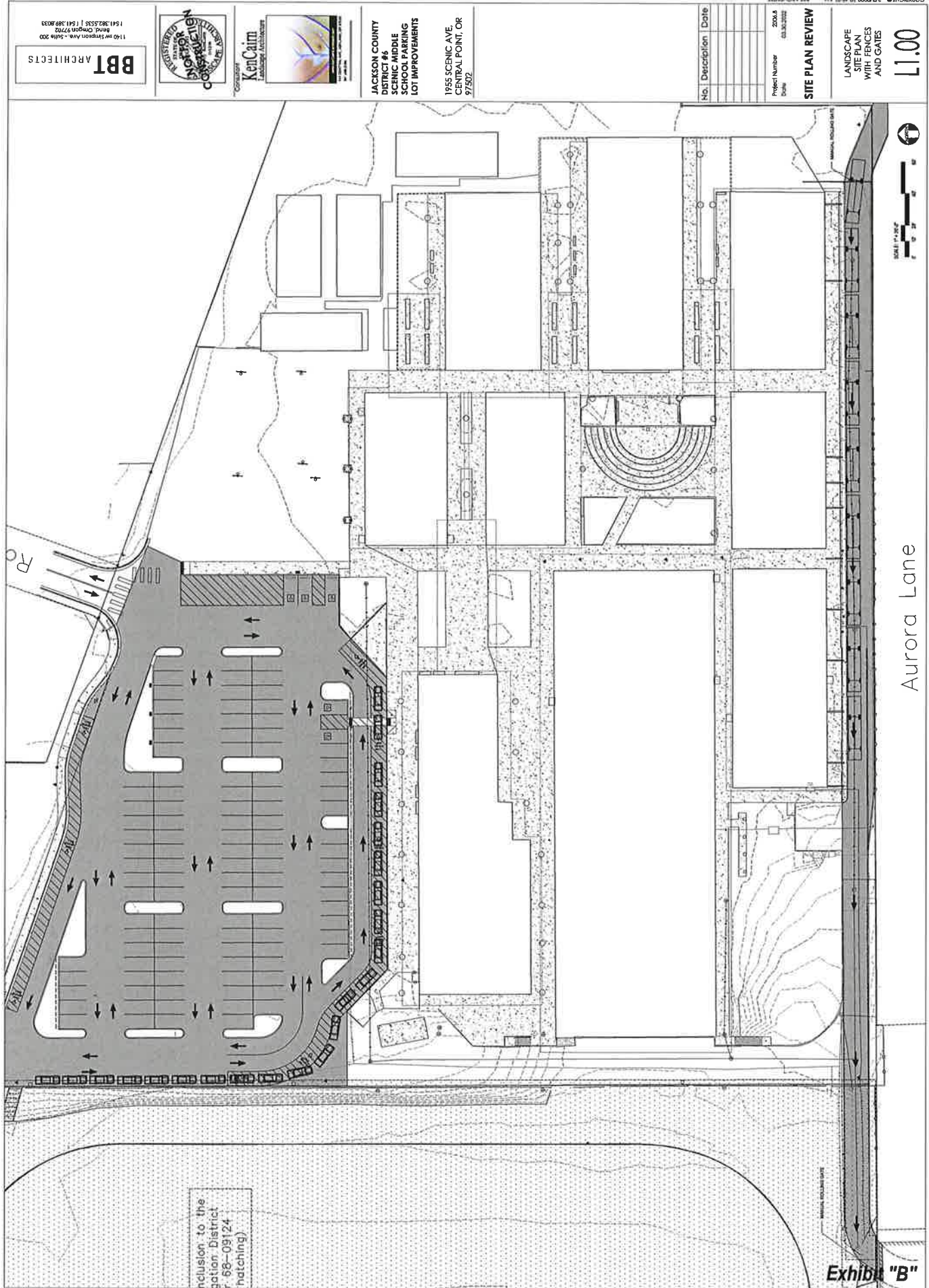
SITE PLAN REVIEW

LANDSCAPE
 SITE PLAN
 WITH FENCES
 AND GATES

L1.00



Aurora Lane



Inclusion to the
 Station District
 68-09124
 (hatching)

BBT
 ARCHITECTS

1140 SW Simpson Ave. - Suite 200
 Bend, Oregon 97702
 541.382.5333 | 541.389.8003



JACKSON COUNTY
 DISTRICT #6
 SCHOOL PARKING
 LOT IMPROVEMENTS

1955 SCENIC AVE
 CENTRAL POINT, OR
 97502



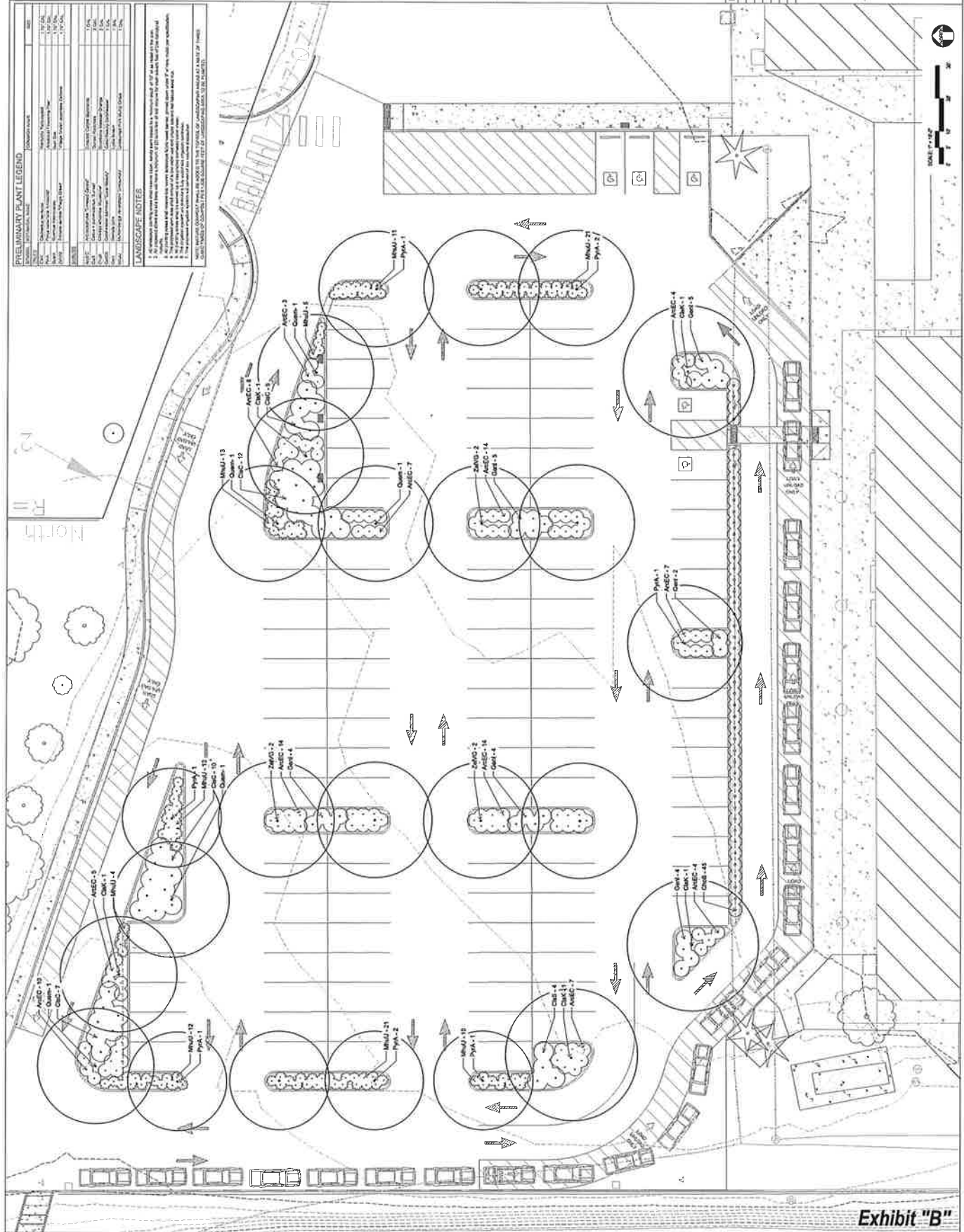
JACKSON COUNTY DISTRICT #6 SCENIC MIDDLE SCHOOL PARKING LOT IMPROVEMENTS

1855 SCENIC AVE. CENTRAL POINT, OR 97502

Table with 2 columns: Item, Description. Lists various landscape items like trees, shrubs, and plants with their respective quantities and codes.

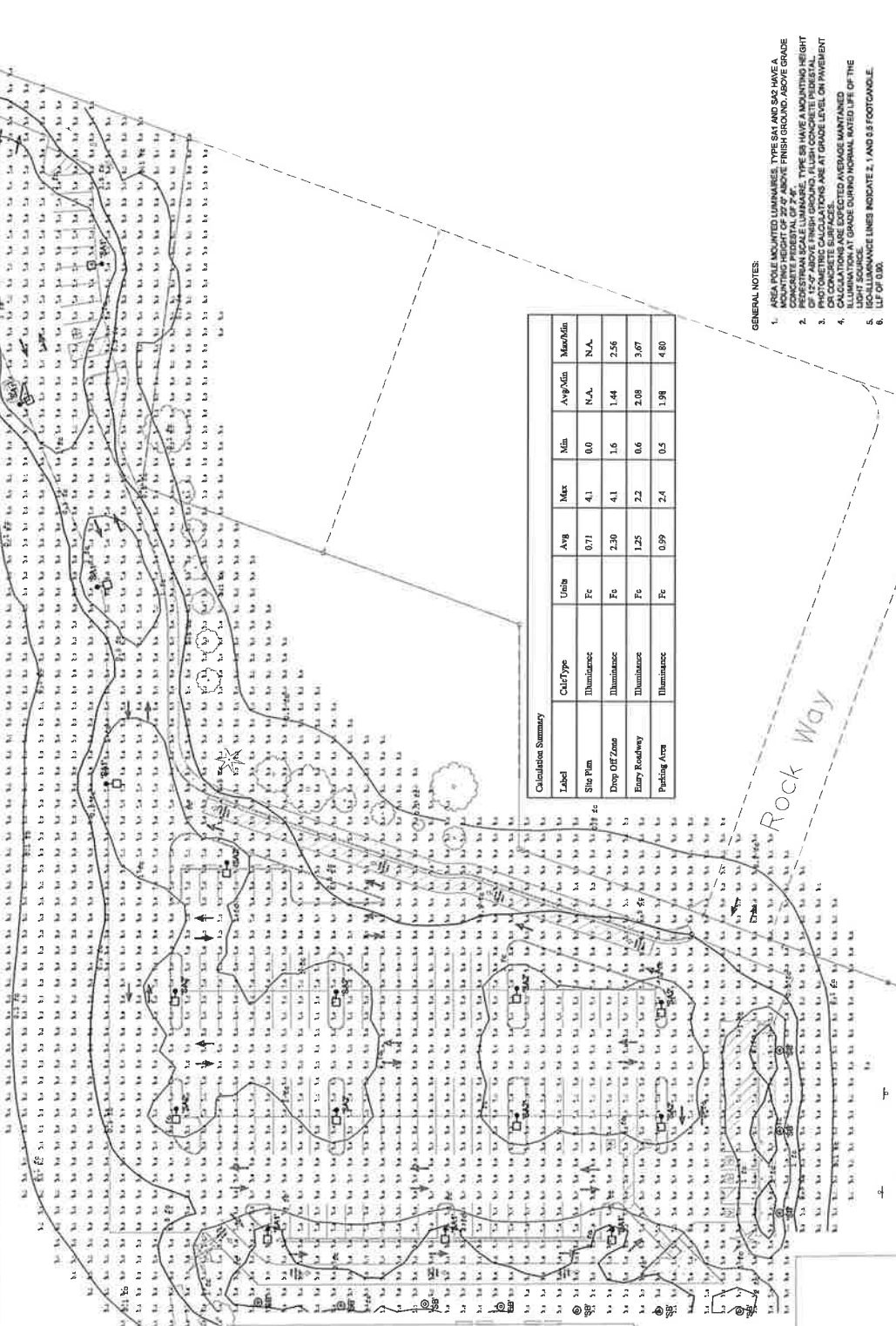
LANDSCAPE NOTES

- 1. All plants shown are to be installed within 60 days of final grading.
2. All plants shown are to be installed within 60 days of final grading.
3. All plants shown are to be installed within 60 days of final grading.



LUMINAIRE SCHEDULE

TYPE	DESCRIPTION	HOUSING	SHIELDING	INSTALLATION	DRIVERS	UNIT	MFC/CALC OF	NOTES
1	RECESSED LUMINAIRE POLE MOUNTED	RECESSED ALUMINUM	TYPE 1 SHIELDING	CONCRETE MOUNTING	POWER SUPPLY	DRIVER SOURCE	UNIT SOURCE	CONCRETE APPROVED
2	RECESSED LUMINAIRE POLE MOUNTED	ALUMINUM	TYPE 2 SHIELDING	CONCRETE MOUNTING	POWER SUPPLY	DRIVER SOURCE	UNIT SOURCE	CONCRETE APPROVED
3	RECESSED LUMINAIRE POLE MOUNTED	ALUMINUM	TYPE 3 SHIELDING	CONCRETE MOUNTING	POWER SUPPLY	DRIVER SOURCE	UNIT SOURCE	CONCRETE APPROVED



Calculation Summary

Label	Calc Type	Units	Avg	Max	Min	Avg/Min	Max/Min
Site Plan	Illuminance	Fc	0.71	4.1	0.0	N/A	N/A
Drive Off Zone	Illuminance	Fc	2.30	4.1	1.6	1.44	2.56
Entry Roadway	Illuminance	Fc	1.25	2.2	0.6	2.08	3.67
Parking Area	Illuminance	Fc	0.99	2.4	0.5	1.98	4.80

- GENERAL NOTES:
1. ALSO POLE MOUNTED LUMINAIRE, TYPE 3A1 AND 3A2 HAVE A MOUNTING HEIGHT OF 32' ABOVE FINISH GROUND, ABOVE GRADE CONCRETE PAVED, OF 7'-6". TYPE 3B HAVE A MOUNTING HEIGHT OF 12'-9" ABOVE FINISH GROUND, FLUSH CONCRETE PAVED, AT GRADE LEVEL ON PAVEMENT.
 2. PHOTOMETRIC CALCULATIONS ARE AT GRADE LEVEL ON PAVEMENT.
 3. CALCULATIONS ARE EXPECTED AVERAGE MAINTAINED ILLUMINATION AT GRADE DURING NORMAL WATED LIFE OF THE LUMINAIRE.
 4. ILLUMINATION AT GRADE DURING NORMAL WATED LIFE OF THE LUMINAIRE.
 5. ILLUMINANCE LINES INDICATE 2, 1 AND 0.5 FOOTCANDLE.
 6. LLF OF 0.8.

1 PARKING LOT PLAN - PHOTOMETRICS

1140 2nd Street, N.E. - Suite 200
Buck Creek, OH 43004
Tel: 614.292.2533 | Fax: 614.292.2533



JACKSON COUNTY
DISTRICT #6
CENTRAL POINT
SCHOOL PARKING
LOT IMPROVEMENTS

1955 SCENIC AVE
CENTRAL POINT, OH
47502

No.	Description	Date

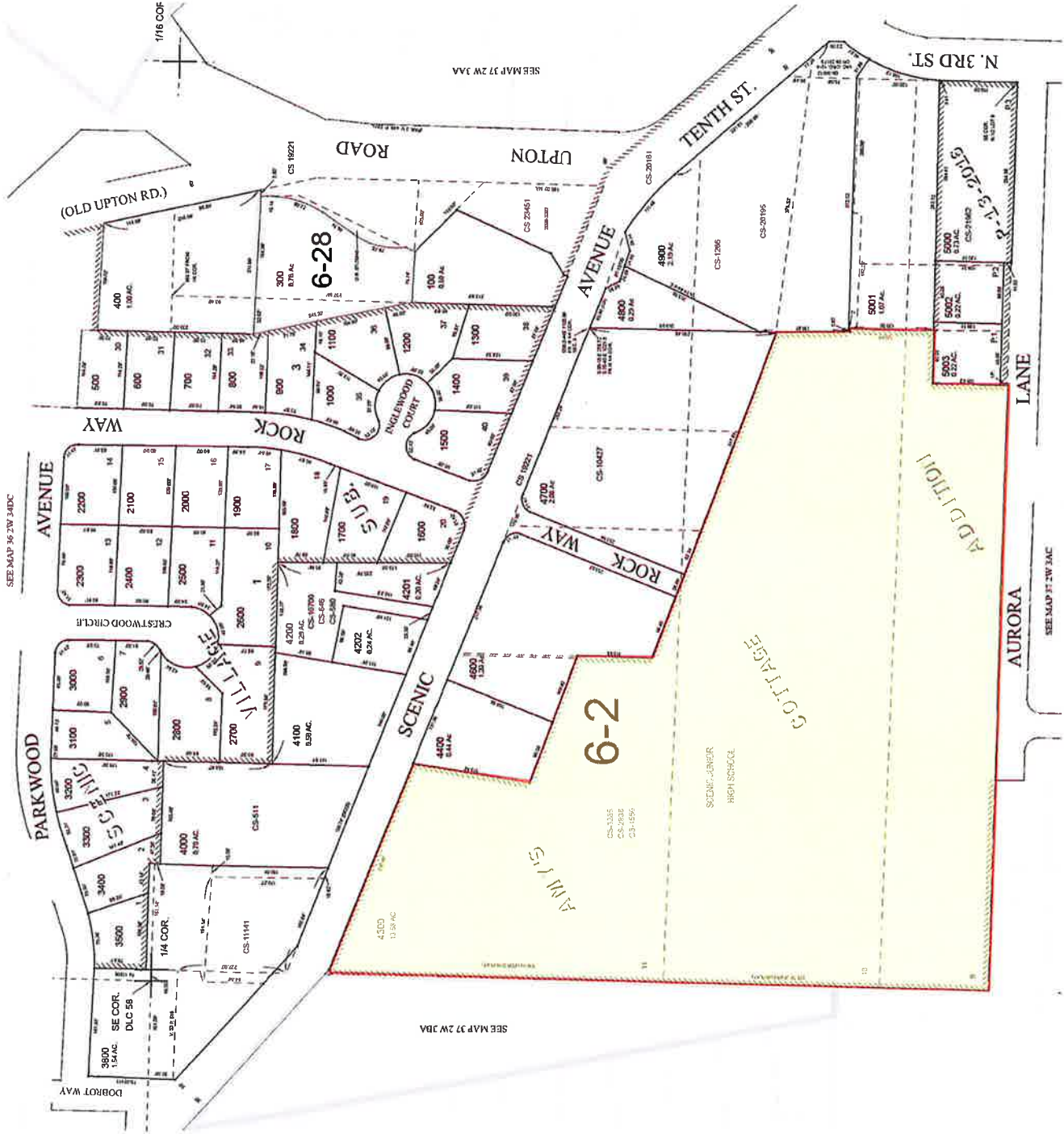
PROJECT NUMBER: 20064
DATE: 09/11/2023

SITE PLAN REVIEW

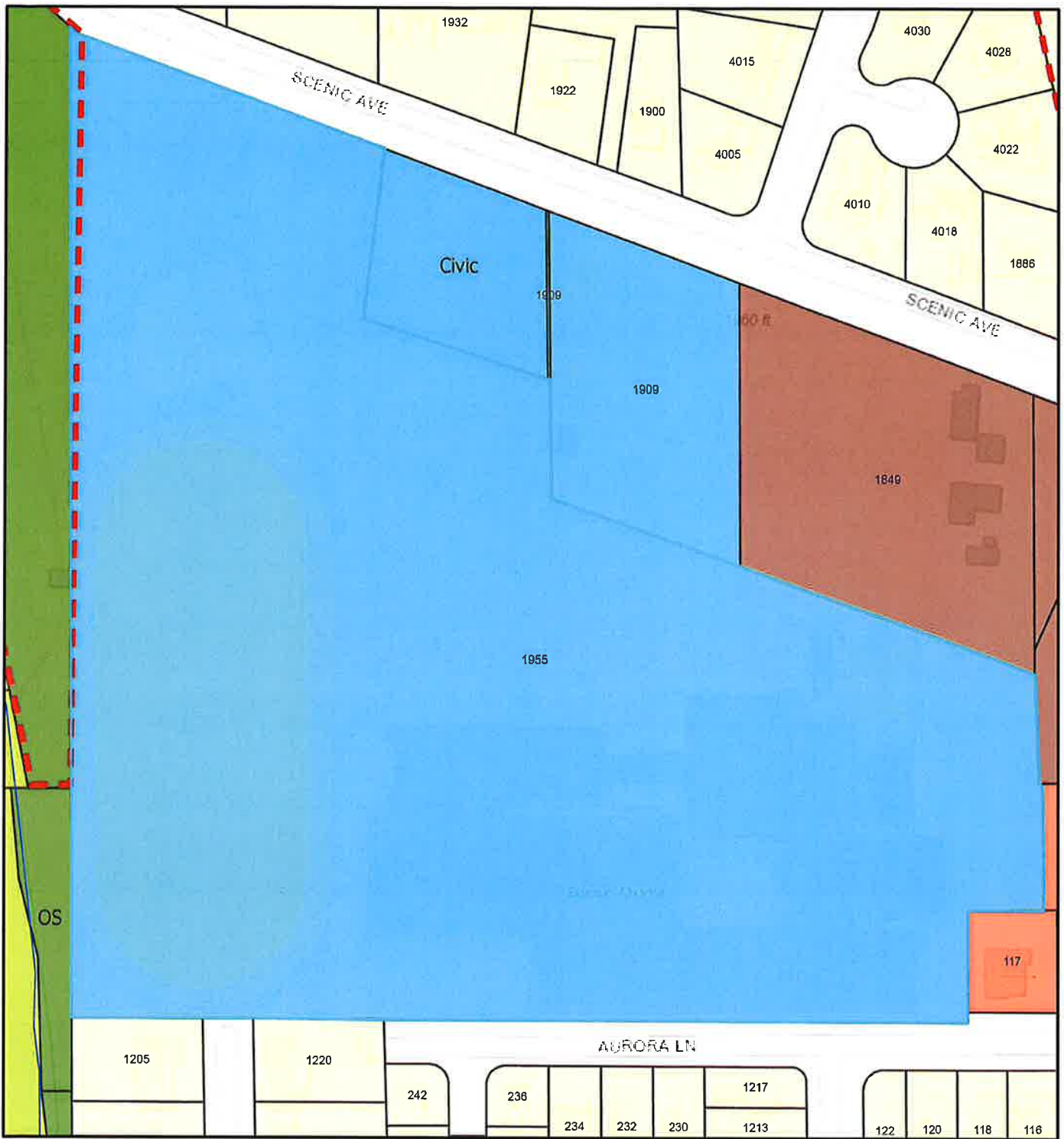
SITE PHOTOMETRICS

E1.1PH

CANCELLED TAX LOT NUMBERS
306 ADDED TO 300
3700 ADDED TO 3600
3790 ADDED TO 3600
3801 ADDED TO 3600
3802 ADDED TO 3600
3901 ADDED TO 3900
3902 ADDED TO 3900
1500 ADDED TO 4600



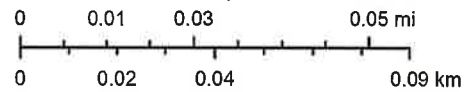
Zoning Map



March 13, 2022

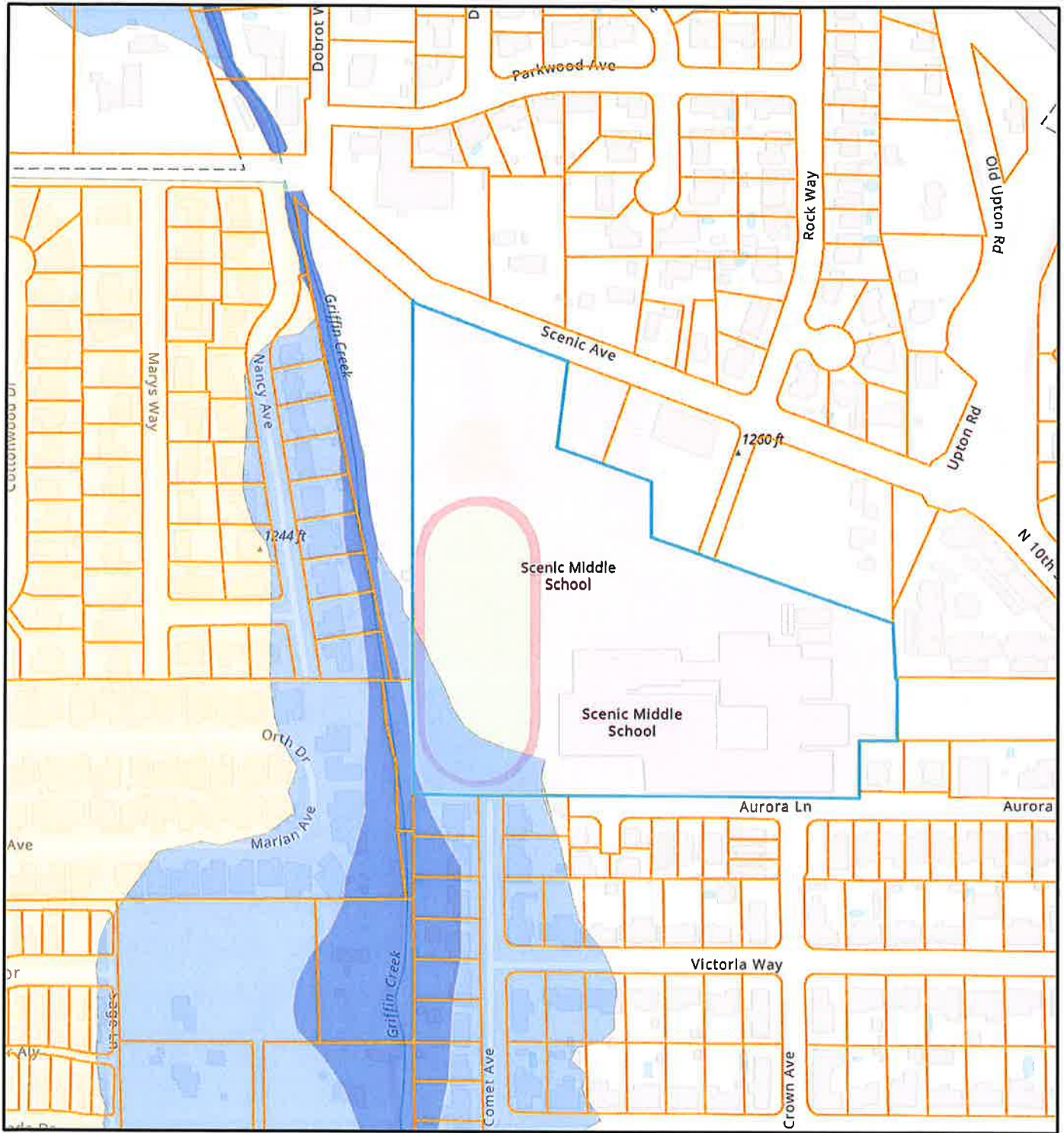
1:2,257





-  City Limits
-  Streams
-  Current Taxlot
-  Civic
-  OS
-  R-3
-  R-2
-  R-1-6
-  R-1-8

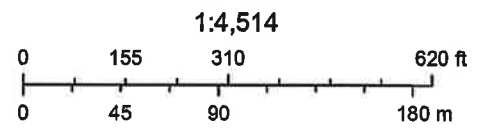


County of Jackson, OR, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA

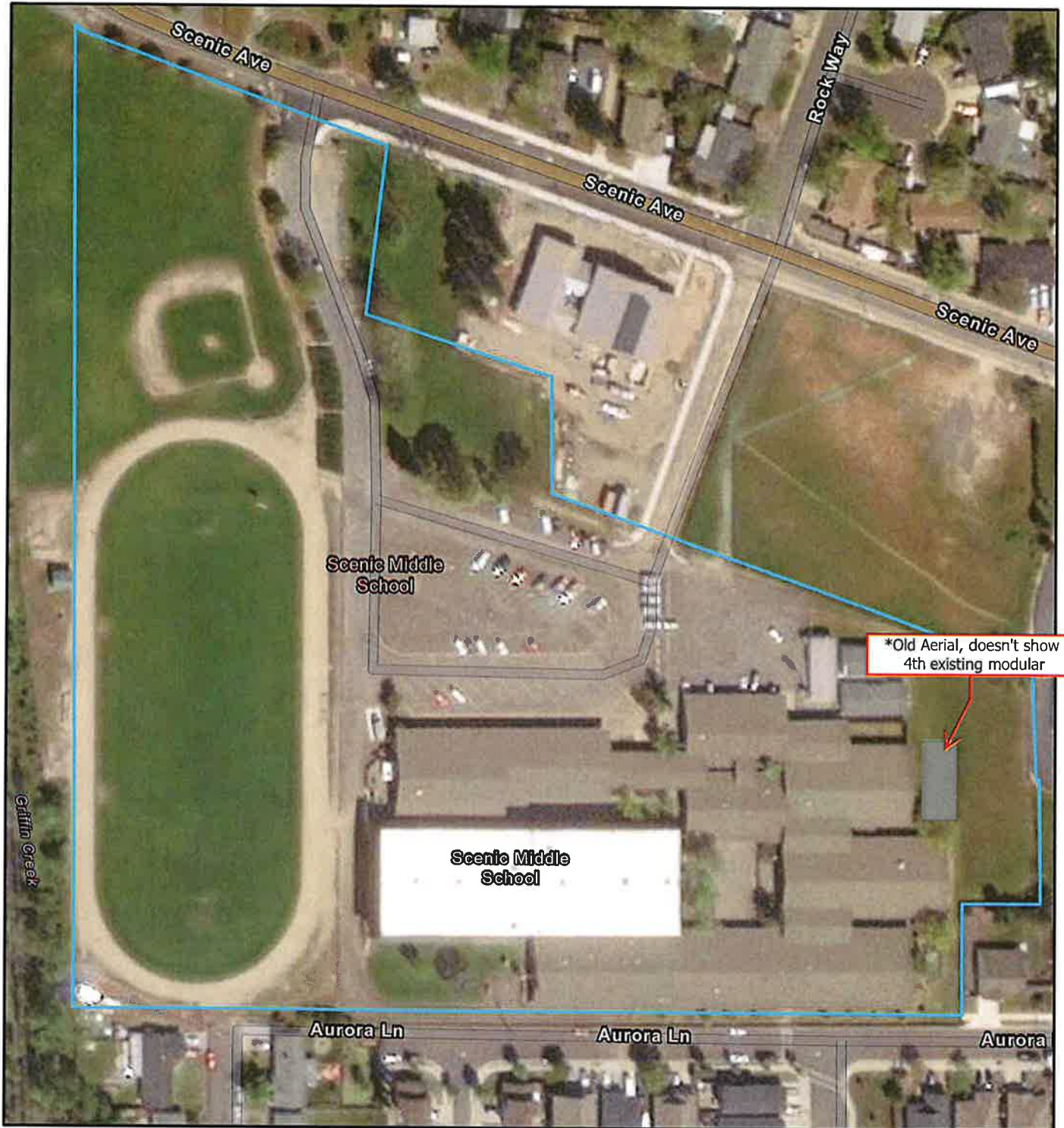
Floodplain



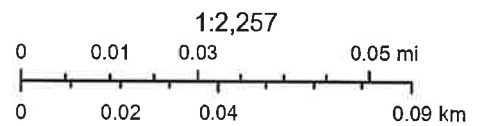
-  Tax Lots
- FEMA Flood Zones**
-  100 Year Determined BFE
-  500 Year Boundary
-  Floodway



Aerial Imagery



March 13, 2022



Maxar, Microsoft, Esri Community Maps Contributors, County of Jackson, OR, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

South facing view of existing landscaping, east of the property entrance located at the northwestern corner of the subject property.



South facing view of existing landscaping, west of the property entrance located at the northwestern corner of the subject property.



View of existing fencing along southern property boundary, abutting Aurora Lane



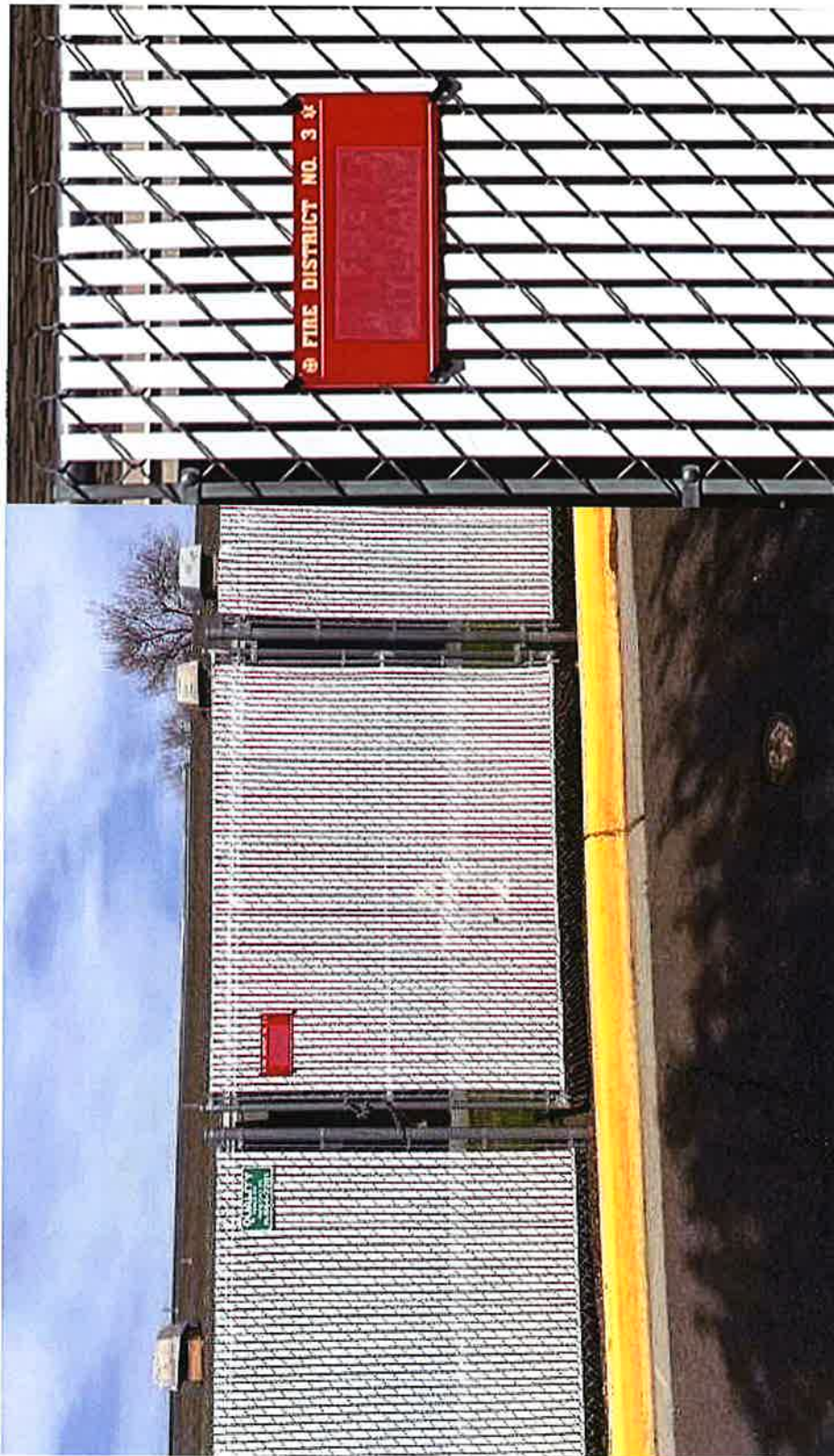
Location bus loop will enter the southeastern corner of the subject property



Pedestrian Crossing and existing fencing along southern property boundary, abutting Aurora Lane



Fire District #3 Signage on fencing along southern boundary (Aurora Lane)



Proposed bus loop egress point on to Comet Avenue



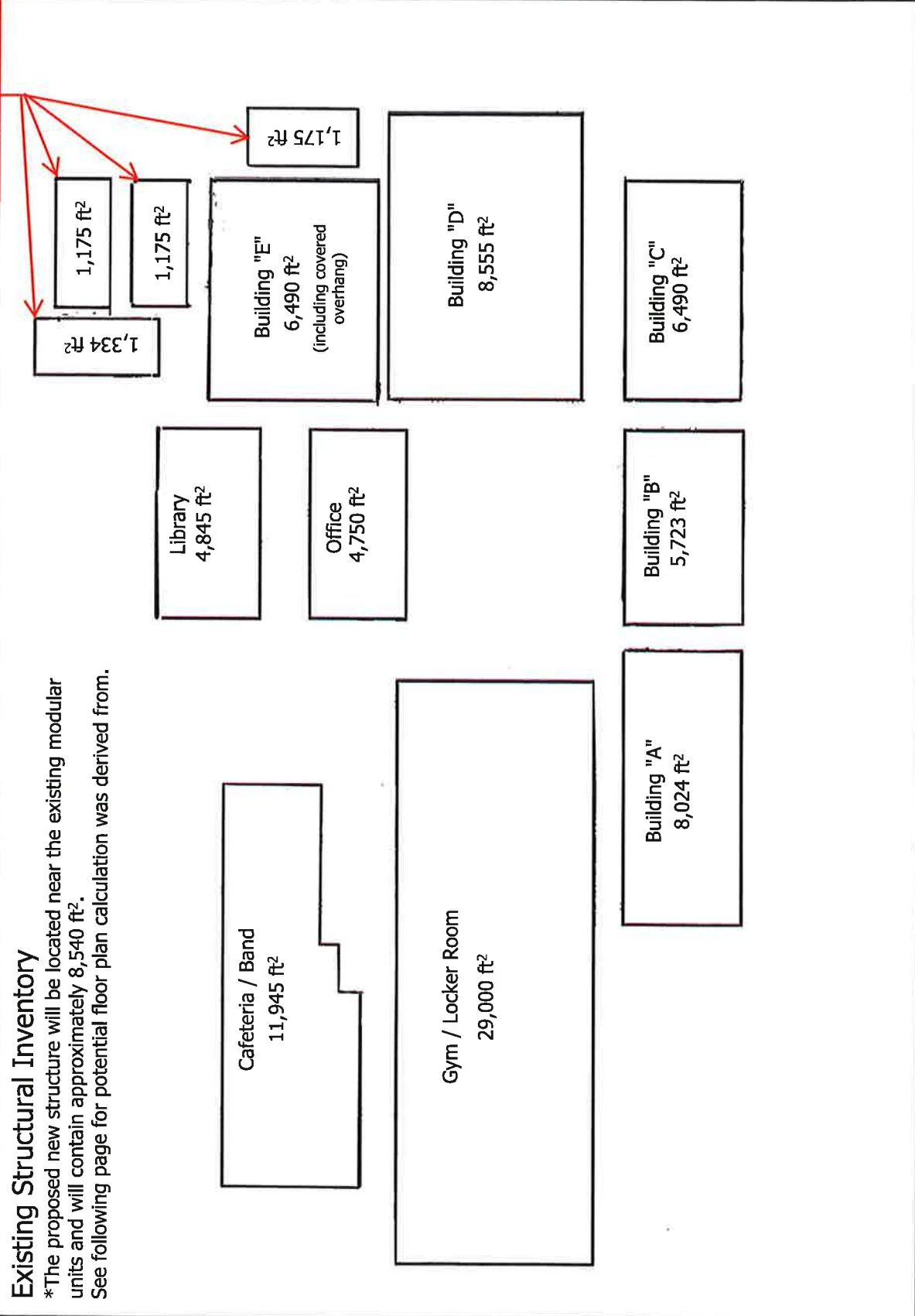
Existing Fencing: Panel with reflective diamond to be replaced with rolling gate.



Existing Structural Inventory

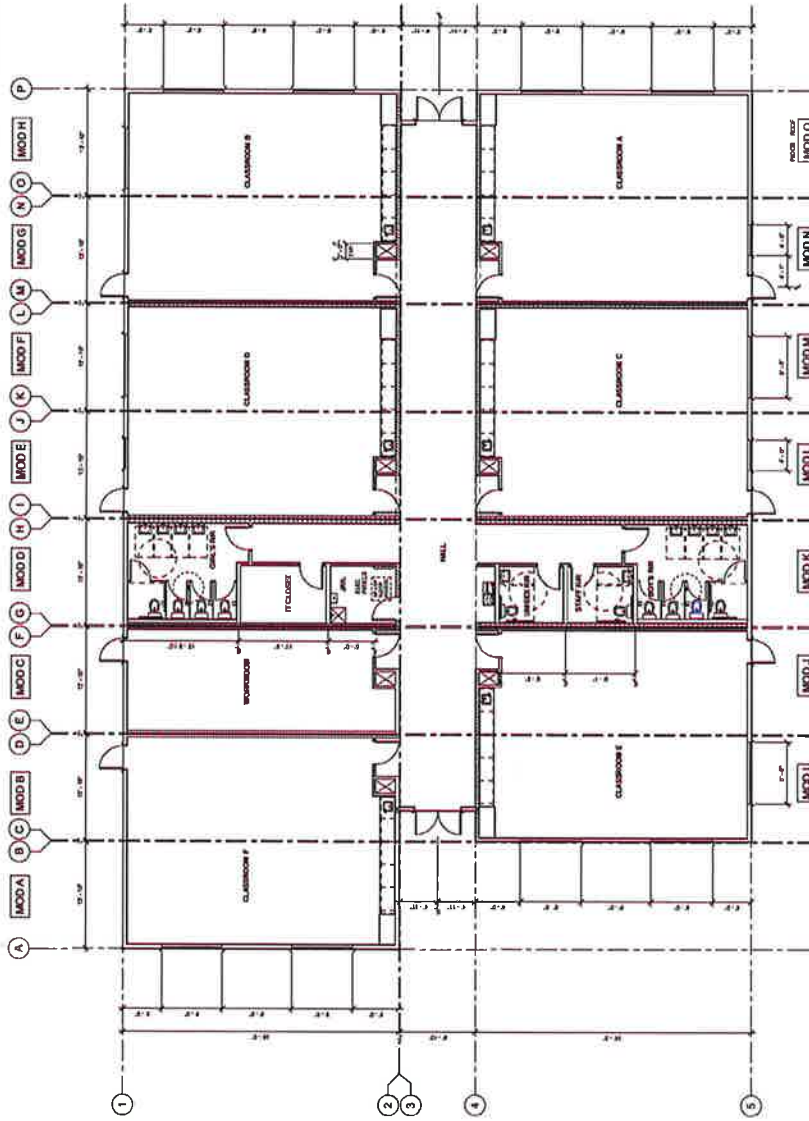
*The proposed new structure will be located near the existing modular units and will contain approximately 8,540 ft². See following page for potential floor plan calculation was derived from.

Existing Modular Units





New Modular Structure to house six (6) new classrooms
 Approximately 8,540 sq/ft







© 2018 ORW ARCHITECTURE, INC.

SCENIC MIDDLE SCHOOL - NEW CLASSROOM ADDITION

2/2/2018 MBM
 10/11/2018

School Bus Size

Bus Type	A 	B 
Weight	Up to 10,000 Pounds	10,000 to 26,500 Pounds
Height	9.1 Feet	10.3 Feet
Width	93 Inches	93 Inches
Wheelbase	138 Inches	138 to 254 Inches
Turning Radius	25 Feet	20.3 to 39.1 Feet
Length	13 to 17.5 Feet	10.8 to 21.7 Feet

Bus Type	C 	D 
Weight	18,000 to 35,000 Pounds	27,800 to 37,000 Pounds
Height	9.9 to 10.4 Feet	9.9 to 10.4 Feet
Width	93 to 96 Inches	93 to 96 Inches (8 Feet)
Wheelbase	149.6 to 276 Inches	136 to 276 Inches
Turning Radius	23 to 38 Feet	21.3 to 34.2 Feet
Length	20.9 to 38.9 Feet	27.3 to 39.11 Feet



WALT DAVENPORT — DISTRICT SUPERINTENDENT

ADMINISTRATION OFFICE
300 ASH STREET
CENTRAL POINT, OREGON 97502
PHONE: (541) 494-6200
FAX: (541) 664-1637
www.district6.org



March 30, 2022

City of Central Point
140 S. 3rd Street
Central Point, OR 97502

To Whom It May Concern:

The Central Point School District has been assessing bicycle parking needs at Scenic Middle School for some time based on staff observations of the existing bicycle parking facilities throughout the school year. There are currently 75 bicycle parking spaces at Scenic Middle School. Although there are seasonal variations in the usage of the existing bicycle parking facilities, it has never been observed to exceed fifty-percent (50%) capacity. Thus, based on our demand analysis, the existing bicycle parking facilities should be more than sufficient to accommodate the future six (6) classrooms at the school. In the unlikely event there is a future need for additional parking facilities, the District will promptly install such facilities in compliance with Section 17.75.039(H)(2) of the Central Point Municipal Code.

Sincerely,

Spencer Davenport
Jackson County School District No. 6 (Central Point)
Chief Projects Officer
Tel. (541) 494-6211
Spencer.davenport@district6.org

.....CHARACTER MATTERS.....

**AGENT AUTHORIZATION
CITY OF CENTRAL POINT, OREGON**

LET IT BE KNOWN that **Daniel O'Connor of O'Connor Law, LLC** has been retained to Act as Agent regarding a Site Plan Review application and a Variance application for the property identified below, which is owned by the undersigned.


Address or Road: 1955 Scenic Avenue

AS DESCRIBED IN THE RECORDS OF JACKSON COUNTY AS:


TOWNSHIP: 37 **RANGE:** 2W **SECTION:** 03B **TAX LOT:** 4300


This authorization is valid for ONE YEAR.

PROPERTY OWNER: Central Point School District #6

Signature:  _____ **Date:** 3/14/22
Printed Name: Spencer Davenport
Address: 300 Ash Street, Central Point, Oregon 97502-2279
Phone: 541-494-6201

AGENT: Daniel O'Connor or Kate J. McGuire, O'Connor Law, LLC

Signature:  _____ **Date:** 02/28/2022
Printed Name: Daniel O'Connor
Address: 670 G Street, Suite B, Jacksonville, Oregon 97530-6501
Phone: 541-702-5350

Signature:  _____ **Date:** 02/28/2022
Printed Name: Kate J. McGuire
Address: 670 G Street, Suite B, Jacksonville, Oregon 97530-6501
Phone: 541-702-5350 (Ext. #2)

FINDINGS OF FACT
AND CONCLUSIONS OF LAW
File No.: SPAR-22002

Consideration of a Site Plan & Architectural Review
to construct parking area, circulation and access
improvements at Scenic Middle School

Applicant:) Findings of Fact
Jackson County School District No. 6) and
300 Ash Street) Conclusion of Law
Central Point, OR 97502)

PART 1
INTRODUCTION

The applicant proposes site improvements to the property at 1955 Scenic Avenue that includes constructing site access, circulation and parking lot improvements, including establishing a separated bus route and loading zone that takes access from Aurora Lane and exits onto Comet Way.

The site plan and architectural review request is a Major Project, and is processed using Type III application procedures. Type III procedures set forth in Section 17.05.400 provides the basis for decisions upon standards and criteria in the development code and the comprehensive plan, when appropriate.

The project site is located in the Civic zoning district. The standards and criteria for the proposal are set forth in CPMC 17.72, Site Plan and Architectural Review and CPMC 17.75, Design and Development Standards.

The following findings address each of the standards and criteria as applies to the proposed application for the Vision Properties medical office.

PART 2
FINDINGS & CONCLUSIONS

Staff has reviewed the Applicant’s Findings, incorporated herein as Exhibit “A”, and found that they address the applicable development code criteria for the proposed site plan and architectural review, except reductions to off-street parking requirements and the parking lot/loading facility perimeter landscaping standards. The following findings address the reductions to off-street parking spaces and the parking lot perimeter landscape standards:

Section 17.64.040 Off-Street Parking Requirements.

B. Adjustments to Non-Residential Off-Street Vehicle Parking.

1. Reductions. The maximum off-street parking requirements may be reduced by no more than twenty percent.

Finding 17.64.040(B)(1): *In accordance with this section, the off-street parking requirements for non-residential uses may be reduced in any commercial (C) or industrial (M) district within the City. The applicant proposes a reduction in off-street parking requirements of approximately five (5) percent; however, the subject property is located in the Civic zoning district. In accordance with the Land Use Element (2018 Central Point Comprehensive Plan), the Employment land use category is comprised of six (6) supporting land use classifications, including zoning districts with Commercial, Industrial and Civic land use designations.*

The City's Urban Growth Boundary Amendment also considers Civic zoned land as an Employment land use. This consideration is consistent with the Comprehensive Plan in that all non-residential lands, except Parks and Open Space lands, are categorized as Employment uses.

Conclusion 17.64.040(B)(1): *Based on the evidence in the record, the five (5) percent reduction in off-street parking standards is consistent with the adjustments for non-residential uses of this section since the Civic zoning district is considered employment per the Land Use Element of the Central Point Comprehensive Plan.*

PART 3 SUMMARY CONCLUSION

As evidenced in findings and conclusions, the proposed Scenic Middle School site plan and architectural plan is consistent with applicable standards and criteria in the Central Point Municipal Code as conditioned.



PUBLIC WORKS STAFF REPORT

April 25, 2022

AGENDA ITEM: Scenic Middle School Parking and Bus Lane (SPAR-22002)

New Parking Lot for Scenic Middle School

Applicant: School District 6

Agent: O'Connor Law

Traffic:

Expansion for existing use, no Traffic Impact Analysis is required.

Existing Infrastructure:

Water: There are 8-inch water lines throughout the site

Streets: Scenic Ave is an existing three-lane secondarily arterial

Stormwater: There are several storm drain lines at Comet Avenue, a 15-inch and a 30-inch line.

Issues:

All the public works issues are concerning the proposed connection to Comet Avenue. There are existing waterlines and storm drain facilities that will need protection during Construction. Several water-related items will need to be moved, including a blow-off assembly and a fire hydrant.

The other issue is the protection of the existing trees adjacent to the main drive. The applicant proposes moving the sidewalk into the existing asphalt to avoid damage to the root zones.

Conditions of Approval:

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

1. Stormwater Management Plan – The Applicant shall submit and receive approval for a stormwater management plan from the Public Works Department. The Stormwater Plan shall comply with the Rogue Valley Stormwater Quality Design Manual for water quality and quantity treatment. Construction on site must be sequenced so that the permanent stormwater quality features are installed and operational when stormwater runoff enters.
2. Civil Improvements– Before Construction, the City will require Civil Improvement Drawings that address the protection of public infrastructure and a plan to handle moving the fire hydrant and blow-off assembly.
3. Parking Lot Trees – The applicant shall have an arborist available to remedy tree roots that may need to be trimmed during Construction to preserve existing parking lot trees.

Prior to final inspection and certificate of occupancy, the applicant shall comply with the following conditions of approval:

1. PW Standards and Specifications – Applicant shall comply with the standards and specifications of the public work for Construction within the right of way.
2. Stormwater Quality Operations & Maintenance– The Applicant shall record an Operations and Maintenance Agreement for all new stormwater quality features and provide a copy of the Public Works Department's recorded document.



Review/Project Information

Reviewed By: Patterson, John

Review Date: 4/25/2022

LD File #: 224614

Planner: Justin Gindlesperger

LD Description: Parking lot improvements / phase 2 classroom building addition

Applicant: SD 6

Additional Project Consideration

Notes: City of Central Point
SPAR-22002 & VAR 22001
Scenic Middle School Parking Lot Improvements including comments on proposed Phase Two for modular relocation and new building.

Parking Lot Improvement Comments:

1. The new parent flow through isle will become the new fire lane.
2. Ensure the new parent flow through isle meets the requirements for aerial apparatus access. Specifically, 28 feet of clear width to park and set up the ladder truck. The 28 feet cannot begin closer than 15 feet nor begin farther than 30 feet from the building. Landscaping and trees cannot extend into the required width. Reference 2019 Oregon Fire Code Appendix D, Section D105.3.
3. No unattended parking will be allowed at any time in the new parent flow through isle. Provide signage and information to parents and staff to ensure no unattended parking will occur at any time. Unattended vehicles in the pickup isle are subject to being towed. School Dist. 6 is responsible to enforce the parking restriction.

Phase Two Comments:

1. Ensure firefighting apparatus access requirements are met. Reference 2019 Oregon Fire Code Appendix D for specifics.
2. No parking will be allowed for the extent of Upton Road from the intersection at Scenic Avenue through the end of new access area shown on phase 2 site plan exhibit S1-1 dated 3-8-2022.
3. Provide no parking signs along Upton Road from the intersection at Scenic Avenue through the end of new access area shown on phase 2 site plan exhibit S1-1 dated 3-8-2022.
4. If the total occupant load for the newly proposed building exceeds 300, the new building will require a fire suppression sprinkler system designed and installed in accordance with NFPA 13. Reference 2019 Oregon Fire Code Section 903.2.3 (3).

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in effect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Jackson County Fire District 3, 8383 Agate Road, White City OR 97503, 541-826-7100

www.jcfd3.com



ROGUE VALLEY
SEWER SERVICES
CLEAN WATER · HEALTHY COMMUNITIES

April 25, 2022

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

Re: SPAR-22002, VAR-22001 – Scenic Middle School Parking Lot Improvements, Map 37 2w 03AB, Tax Lot 4300

The proposed parking improvements will not impact sewer service. The existing buildings on the site are served by a private 6" service extended in to the property from the 8" main along Aurora Lane. Sewer service for the future buildings can be had by connecting to the existing 6" service or by installing a new service line from the main along Aurora Lane. Alternatively a sewer main extension can be constructed from the existing sewer main to east across the Jackson County Housing Authority Property. Sewer connections for the future buildings must be submitted to and approved by RVSS prior to construction.

Feel free to call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Bakke", written in a cursive style.

Nicholas R Bakke, PE
District Engineer

PLANNING COMMISSION RESOLUTION NO. 895

A RESOLUTION OF THE PLANNING COMMISSION APPROVING A SITE PLAN AND ARCHITECTURAL REVIEW FOR SCENIC MIDDLE SCHOOL ON LANDS WITHIN THE CIVIC ZONING DISTRICT.

(File No: SPAR-22002)

WHEREAS, the applicant has submitted a site plan and architectural review application that includes constructing site access, circulation and parking lot improvements, and establishing a separated bus route and loading zone on a 13.58 acre site within the Civic zoning identified on the Jackson County Assessor's map as 37S 2W 03AB, Tax Lots 4300, Central Point, Oregon; and

WHEREAS, the Planning Commission's consideration of the application is based on the standards and criteria applicable to Site Plan and Architectural Review in accordance with Section 17.72 and Design and Development Standards in accordance with Section 17.75; and

WHEREAS, on May 3, 2022, at a duly noticed public hearing, the City of Central Point Planning Commission considered the Applicant's request for Site Plan and Architectural Review approval, at which time it reviewed the Staff Report and heard testimony and comments on the application; and

NOW, THEREFORE, BE IT RESOLVED that the City of Central Point Planning Commission by Resolution No. 895 does hereby approve the Site Plan and Architectural Review application for School District No. 6, based on the findings and conditions of approval as set forth in Exhibit "A," the Planning Department Staff Report dated May 3, 2022, including attachments incorporated by reference.

PASSED by the Planning Commission and signed by me in authentication of its passage this 3rd day of May, 2022.

Planning Commission Chair

ATTEST:

City Representative

Item VII-C: Public hearing & consideration of a Class "C" Variance to parking and loading standards to construct a bus route and loading zone at Scenic Middle School.

May 3, 2022

Item Summary

Consideration of a Class "C" Variance application to the standards in CPMC 17.75.039(G) "Parking/Loading Facility Perimeter and Screening" and Table 17.75.03 "Parking/Loading Facility Perimeter and Street Frontage Landscaping" for the development of a new bus route and loading area for Scenic Middle School. The 13.58 acre site is located at 1955 Scenic Avenue and is identified on the Jackson County Assessor's map as 37S 2W 03AB, Tax Lot 4300. **Applicant:** School District #6; **Agent:** O'Connor Law, LLC (Daniel B. O'Connor). **Associated File:** SPAR -22002

Staff Source

Stephanie Holtey, Planning Director

Background

School District #6 ("Applicant") has requested Site Plan & Architectural Review approval to construct access, circulation and at Scenic Middle School (File No. SPAR-22002). The proposed improvements aim to reduce traffic congestion that occurs on and around campus during peak hour times for student drop-off and pick-up by:

- Reconfiguring the main parking lot with increased parking supply to serve parents and students, as well as include landscape terminals, islands and striping to direct and reinforce efficient circulation;
- Improving the private access drive off Scenic Avenue, including repaving, adding sidewalks to connect the public sidewalk system on Scenic Avenue with the school campus; and,
- Separating the bus loading zone from parent drop-off and pick-up areas. The bus loading area proposes to take access off Aurora Lane, a local residential street, and exit onto Comet Way.

The proposed bus route and loading area does not meet the parking lot and loading area landscape standards per CPMC 17.75.039(G)(1) and Table 17.75.03 and is subject to approval of a Class "C" Variance.

Project Description

The proposed bus route is located along the south side of campus adjacent to Aurora Lane and residentially developed properties on Comet Way (Attachment "A"). The existing campus

buildings are located 29-feet north of the south property line. Per the Applicant’s Site Plan (Attachment “B-1” and “B-2”) and Findings (Attachment “C”), the project proposes gated access from Aurora Lane and to Comet Way. Buses will travel on a 16-ft drive aisle adjacent to a 13-ft walkway/student loading area, which is long enough to park nine (9) buses at a time.

Due to the limited space between the existing buildings and property line, no landscape buffer or plants are proposed (Attachment “B-3” and “B-4”). As buses leave the loading area, the site plan shows the bus route meandering slightly to provide a 5-ft buffer between a residential property to the south. This is the maximum amount without disturbing the existing track and field area. Table 1 presents the variance request relative to the applicable code standards in CPMC 17.75.039(G)(1) and Table 17.75.03.

Table 1. Proposed Variance to Standards in Table 17.75.03

Street Frontage	Table 17.75.03 Standards			Proposed Variance	
	Min. Planting Area Width	Plants Required per 100 Lineal Ft. of Street Frontage		Min Planting Width	No. Trees/Shrubs
		Trees	Shrubs		
Local (Aurora Lane)	10 ft.	3	15	0 ft	0
Perimeter (Abutting) Land Use	Plants Required per 100 Lineal Ft. of Abutting Property				
Residential	20 ft.	4	20	5 ft	0

General Variance Discussion

Variances generally very difficult to justify. If approved, a variance allows development to occur contrary to the requirements of a specific code standard. To approve a variance, the Planning Commission must consider all evidence and testimony received and determine that six (6) approval criteria set forth in CPMC 17.13.500(C) are met. The criteria are set forth below and addressed in the Applicant’s Findings (Attachment “C”):

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

5. The hardship is not self-imposed; and
6. The variance requested is the minimum variance that would alleviate the hardship.

Issues

There are two (2) issues relative to this project as set forth below:

1. **Material Detriment/Landscape Plan.** The proposed bus route is within 5-ft of a low density residential property on Comet Way. Under the current code standards, the bus route and loading area is required to provide a 20-ft landscape planter adjacent to residential land with four (4) trees and twenty (20) shrubs per 100-lineal feet. The proposal can only provide a 5-ft planter area without affecting the track and field, which is an essential component of secondary education facilities. The landscape plan shows no trees or shrubs. The Applicant's Findings do not address specific impacts to this property and does not propose any mitigation measures.

Comment: Based on the Applicant's Findings the proposed variance is the minimum necessary to alleviate the hardship and address the traffic congestion issues in and around the school. Based on staff's analysis, the existing residence will be 10-ft from the edge of the access drive. This distance is consistent with side yard setbacks on corner lots with frontage on public streets except that street trees are typically provided in the public right-of-way to preserve neighborhood character. Staff recommends landscaping be required to minimize the impacts that could occur during the limited times buses leave the site on school days (e.g. noise, exhaust). As a result, the impact to the affected property on Comet Way is no more than would occur for a corner lot in any low-density residential zone in the City when buses are present.

Staff recommends that the Planning Commission consider imposing a condition of approval to revise the landscape plan to provide conical shaped trees and shrubs as required by CPMC 17.75.039(G)(1) within the 5-ft planter area.

2. **Public Comment.** The City mailed notice of the proposed variance and public hearing to property owners within 250-feet, which included 144 properties. As of the date of this Staff Report, staff has spoken with two (2) property owners who have expressed concerns about the impact of buses on the surrounding neighborhood and quality of life. No written comments have been received to-date.

Comment: Approval of the variance must consider evidence relative to the approval criteria in CPMC 17.13, Exceptions to Code Standards. Staff listened to the concerns and explained the process for participation in the public hearing including that testimony should address these criteria. No action is needed at this time.

Findings of Fact & Conclusions of Law

The Scenic Middle School Class "C" Variance has been evaluated against the applicable criteria set forth in CPMC 17.13 and found to comply as conditioned and as evidenced in the Applicant's Findings of Fact (Attachments "C") and the Staff Report dated May 3, 2022.

Conditions of Approval

1. Prior to building permit issuance, the applicant shall submit revised landscape plans that provides trees and shrubs within the 5-ft planter areas in accordance with CPMC 17.75.039(G)(1).

Attachments

Attachment "A" – Project Location Map

Attachment "B-1" – Overall Civil Site Plan

Attachment "B-2" – Overall Landscape Plan with Fences and Gates

Attachment "B-3" – Landscape Irrigation Plan – South End

Attachment "B-4" – Landscape Details

Attachment "C" – Applicant's Restated Findings and Exhibits

Attachment "D" – Site Phasing Plan

Attachment "E" – Draft Resolution (to be provided at the hearing)

Action

Conduct the public hearing and consider the Class "C" Variance application. The Planning Commission may 1) approve; 2) approve with revisions; or 3) deny the application.

If the Planning Commission finds there is insufficient evidence to take one of these actions at the May meeting, the Planning Commission may continue the public hearing to a date and time specific as necessary to allow the applicant to respond to any issues or questions and update their findings.

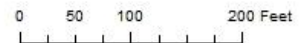
Recommendation

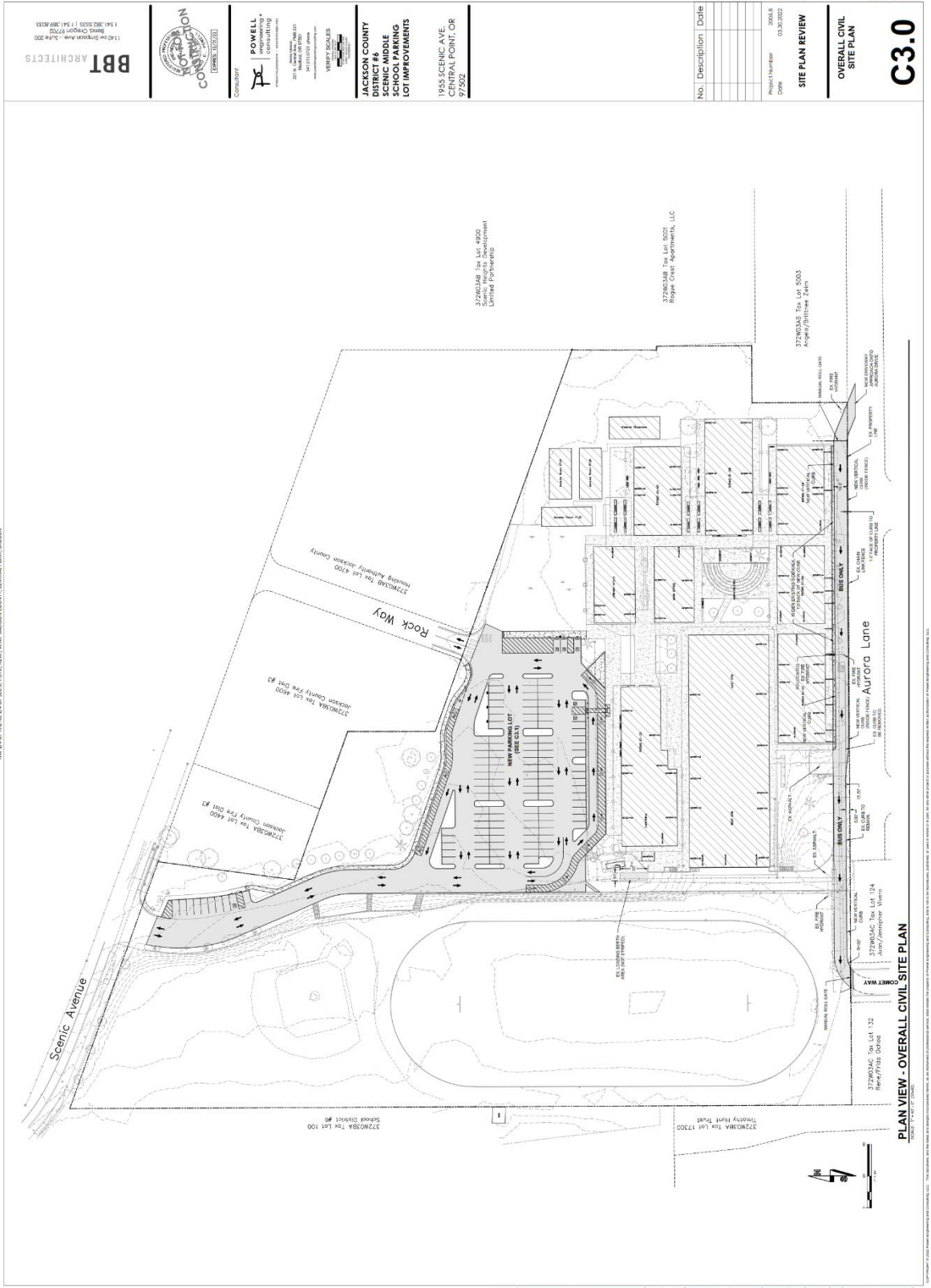
Approve the Class "C" Variance application subject to the recommended condition of approval set forth in the Staff Report dated May 3, 2022 and the Applicant's Findings in Attachment "C."



Scenic Middle School Bus Route and Loading Area

Project Location & Variance Request
File No. VAR-22001





BBT ARCHITECTS
 1140 SW 50TH AVE, SUITE 200
 BEAVERTON, OREGON 97005
 503.638.3333 | 503.638.3033

CONSTRUCTION
 1140 SW 50TH AVE, SUITE 200
 BEAVERTON, OREGON 97005
 503.638.3333 | 503.638.3033

POWELL CONSULTING
 CONSULTANTS
 207 N. GARDNER ST., SUITE 201
 BEAVERTON, OREGON 97005
 503.638.3333 | 503.638.3033

JACKSON COUNTY
 PLANNING AND ZONING
 SCENIC MIDDLE
 SCHOOL PARKING
 LOT IMPROVEMENTS

1555 SCENIC AVE
 CENTRAL POINT, OR
 97502

No.	Description	Date

BRB ARCHITECTS
 PROJECT NUMBER: 2008.8
 DATE: 03.30.2022

SITE PLAN REVIEW

OVERALL CIVIL SITE PLAN

C3.0

NEW ALL OF THE NE 1/4 OF SEC. 11, T37N, R27E, W3M, JACKSON COUNTY, CENTRAL POINT, OREGON

PLAN VIEW - OVERALL CIVIL SITE PLAN

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ATTACHMENT "C"
A.K.A
EXHIBIT "A"
RESTATED SUPPLEMENTAL FINDINGS
TYPE "C" VARIANCE REQUEST
37-2W-03AB TAX LOT 4300

A. Proposal.

Jackson County School District No. 6 ("Applicant"), is the owner of certain real property, located in the City of Central Point, Oregon, and commonly known as Township 37 South, Range 2 West, Section 03AB, Tax Lot 4300 ("the subject property"). The subject property has been developed with Scenic Middle School since at least 1966 pursuant to the Jackson County Assessor's records. Consequently, modifications and upgrades to certain portions of the existing facility are necessary to accommodate growing enrollment. Because the facility has been constructed in its current configuration and existing on the grounds for over 55 years and prior to any zoning rules or regulations, there is limited option for placement of certain necessary upgrades which standards of the current development code may preclude unless approved by variance from said standards. Specifically, the standards of CPMC 17.75.039 (G) "Parking/Loading Facility Landscaping and Screening" and Table 17.75.03 "Parking/Loading facility perimeter and street frontage landscaping." Applicant is proposing to construct a bus loop along the southern boundary of the subject property. Due to the proximity of pre-existing structures in relation to the southern property boundary line, Applicant is requesting a variance to the buffer landscape requirements along the southern property boundary where the bus loop is proposed.

Applicant has been working to improve congestion issues at Scenic Middle School, which historically have been a constant source of complaints from staff, parents and neighboring property owners. Recently, Applicant worked with neighboring property owners to the north of the subject property for the creation and dedication of the Rock Way extension to the subject property. The traditional bus route has been through the existing parking lot, which has resulted in parents obstructing the residential streets to the south of the subject property when picking up/dropping off students. The proposed bus route on the southern portion of the subject property will eliminate the current congestion issues in this area. Specifically, the parent pick up/drop off location will be relocated to the parking area north of the school with parents entering via the western driveway and exiting via Rock Way. School traffic to the south will be limited to school busses arriving in the morning and leaving in the afternoon.

B. Schedule of Exhibits.

The following Exhibits have been submitted in support of this Application, which by this reference are incorporated herein and deemed a part of this Application:

EXHIBIT "A":	Supplemental Findings
EXHIBIT "B":	Site Plans
EXHIBIT "C":	Assessor's Map / 1968 Field sketch
EXHIBIT "D":	Aerial Photograph

EXHIBIT “E”:	Floodplain Map
EXHIBIT “F”:	Site Photographs
EXHIBIT “G”:	Agent Authorization

C. Background.

The subject property is approximately 13.58 acres in size, is zoned “Civic” and is developed with Scenic Middle School, a pre-existing (pre-zoning) educational facility comprised of several attached structures and four (4) detached modular buildings currently housing two (2) classrooms each, for a total of 39 existing classrooms. A separate Site Plan and Architectural Review (“SPAR”) has been submitted for review of the proposed modification of the parking lot; the “Phase 1 SPAR”. A second, “Phase 2” SPAR will be subsequently submitted for the proposed addition of a new building that will contain six (6) new classrooms. The variance requested is for omission of the required parking/loading facility perimeter and street frontage landscaping buffer standards along the southern boundary of the subject property due to the lack of space between pre-existing buildings and the property boundary which precludes accommodation of both; the bus ramp and the landscape buffer required. The buffer requirements are: 10’ where adjacent to Aurora Lane (classified as a “local” road) and 20’ where adjacent to the residentially zoned properties located at either end of the proposed bus loop. Tax Lot 5003 (37-2W-03AB) to the east where the busses will enter the loop on school property and Tax Lot 124 (37-2W-03AC) located to the west and south of the proposed ramp, which will exit the school grounds via Comet Avenue.

D. Applicable Standards and Criteria.

The standards applicable to this Application are set forth in Central Point Municipal Code (“CPMC”) Sections 17.13 “**Exceptions to Code Standards**” which are set forth as follows:

1. CPMC 17.13.100 Variances – Purpose.

This chapter provides standards and procedures for variances, which are modifications to land use or development standards that are not otherwise permitted elsewhere in this title as exceptions to code standards. This chapter cannot provide standards to fit every potential development situation. The city’s varied geography, and complexities of land development, require flexibility. This chapter provides that flexibility, while maintaining the purposes and intent of the code. The variance procedures provide relief from specific code provisions when they have the unintended effect of preventing reasonable development in conformance with all other codes. The variance procedures are intended to provide flexibility while ensuring that the purpose of each development standard is met. (Ord. 1874 §5(part), 2006). [CPMC 17.13.100]

2. CPMC 17.13.200 Variances – Applicability

A. Exceptions and Modifications Versus Variances. A code standard or approval criterion (“code section”) may be modified without approval of a variance if the applicable code section expressly allows exceptions or modifications. If the code section does not expressly provide for exceptions or modifications, then a variance

is required to modify that code section and the provisions of this chapter apply.
[CPMC 17.13.200(A)]

Applicant's Findings: The requested variance is to the requirements of CPMC 17.75.039 (G) "Parking/Loading Facility Landscaping and Screening" and Table 17.75.03 "Parking/Loading facility perimeter and street frontage landscaping" standards due to necessary upgrades to access and parking of an educational facility that has been developed and existing on the subject property for at least 55 years. There are no exceptions expressly provided within this section of code or within the table. Therefore, the variance procedure is required, and the provisions of this Chapter are applicable.

B. Combining Variances with Other Approvals; Permit Approvals by Other Agencies. Variance requests may be combined with and reviewed concurrently by the city approval body with other land use and development applications (e.g., development review, site design review, subdivision, conditional use, etc.); however, some variances may be subject to approval by other permitting agencies, such as ODOT in the case of state highway access. [CPMC 17.13.200(B)]

Applicant's Findings: Applicant has submitted a site design review application in conjunction with this variance request, for concurrent consideration by the Planning Commission. There are no other applications submitted which rely on the regulation or permitting of any other agency than the City of Central Point. Applicant understands that a floodplain development permit application will also be required to be submitted to and approved by the City of Central Point Planning Department for paving of the proposed bus loop and modification to a segment of the existing fencing where it abuts Comet Avenue.

C. Types of Variances. As provided in Sections 17.13.300, 17.13.400 and 17.13.500, there are three types of variances (Class A, B, or C). The type of variance required depends on the extent of the variance request and the discretion involved in the decision-making process. (Ord. 1874 §5(part), 2006). [CPMC 17.13.200(C)]

Applicant's Findings: There is no mechanism to obtain the requested variance(s) through the Class A or B variance options therefore, the Class C variance is appropriately pursued through submittal of this Type III Application.

3. CPMC 17.13.500 Class C Variances

A. Applicability. Class C variance requests are those that do not conform to the provisions of Sections 17.13.300 and 17.13.400 (Class A and Class B), and that meet the criteria in subsections (A)(1) through (4) of this section. Class C variances shall be reviewed using a Type III procedure, in accordance with Chapter 17.05:

1. The Class C variance standards apply to individual platted and recorded lots only.

Applicant's Findings: The variance requested is specific to the subject lot; Tax Lot 4300 in Township 37, Range 2 West, Section 03AB, an individual lot.

- 2. The Class C variance procedure may be used to modify a standard for three or fewer lots, including lots yet to be created through a partition process.**

Applicant's Findings: The variance requested is specific to the subject property; Tax Lot 4300 in Township 37, Range 2 West, Section 03AB, an individual lot.

- 3. An applicant who proposes to vary a standard for lots yet to be created through a subdivision process may not utilize the Class C variance procedure. Approval of a planned unit development shall be required to vary a standard for lots yet to be created through a subdivision process where a specific code section does not otherwise permit exceptions.**

Applicant's Findings: This Section is not applicable. The proposal does not include a request to create new lots.

- 4. A variance shall not be approved that would vary the "permitted uses" or "prohibited uses" of a zoning district. [CPMC 17.13.500(A)]**

Applicant's Findings: The variance requested is not pertinent to a permitted use nor a prohibited use but rather a development design standard.

- B. Approval Process. Class C variances shall be processed using a Type III procedure, as governed by Section 17.05.400, using the approval criteria in subsection C of this section. In addition to the application requirements contained in Section 17.05.400, the applicant shall provide a written narrative or letter describing his/her reasoning for the variance, why it is required, alternatives considered, and compliance with the criteria in subsection C of this section. [CPMC 17.13.500(B)]**

Applicant's Findings: The Applicant has submitted these written findings (narrative) in conjunction with the City of Central Point Planning Department Type III Application form and associated fee. The criteria of subsection "C" of this section are subsequently addressed.

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

- 1. The proposed variance will not be materially detrimental to the purposes of this code, to any other applicable policies and standards, and to other properties in the same zoning district or vicinity;**

Applicant's Findings: The subject property is zoned "Civic" and surrounded by residentially classified zoning districts. There is no other "Civic" zoned property in the vicinity of the subject property. The proposed variance to the parking/loading facility perimeter and street frontage

landscaping buffer standards will not be materially detrimental to the intended purpose of the code or other applicable policies and standards. The Applicant is requesting a variance to this one section of the Design and Development Standards of CMPC 17.75, alone. The purpose of the variance is not to change or alter the CPMC in any way and will not be detrimental to other properties within the vicinity of the subject property. In fact, the proposal will be beneficial to surrounding properties, specifically those located on Aurora Lane, where high traffic congestion occurs due to vehicles forming a queue for drop off and pickup of students on the southern (exterior) side of the existing fence. The proposed improvement which will benefit the residents of Aurora Lane by decongesting it during peak school drop off and pick hours, would not be possible without the requested variance.

2. A hardship to development exists which is peculiar to the lot size or shape, topography, or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same zoning district);

Applicant's Findings: The school facility has been in existence for at least 55 years and is structurally developed. Minimal open space, aside from that on the western side of the subject property (the track, football field and baseball diamond) which is devoted to the physical activity educational component, exists on the subject property. Consequently, there is minimal space on the subject property to accommodate any new development. The parking lot is being improved in its current location to accommodate ongoing enrollment increases since the school's construction. Due to the configuration of existing structures, there is no other viable location on the subject property for the proposed bus route. Specifically, there is no feasible location to route the buses along the eastern boundary of the subject property because of limited space between the existing buildings and the eastern boundary line. A bus route along the western side of the subject property would require a significant encroachment into the football/soccer field, track and baseball field (the proposed route results in a minor encroachment into the track). A western bus route would render all of the aforementioned facilities unusable for their intended purpose. The difficulty of a potential western route is exasperated by the site topography. In particular, the existing parking lot is elevated relative to the track (approximately 4-5 feet), which would require either of the following: (a) construction of separate dedicated bus roadway at current grade; or (b) the import and placement of engineered fill to construct a dedicated bus lane at grade with the existing parking lot.

The hardship is peculiar to the lot size, shape, topography of the subject property in conjunction with the civic use of the subject property. The construction of Scenic Middle School occurred prior to the implementation of zoning and development requirements including landscape buffers and setbacks. Consequently, structural development historically occurred closest to Aurora Lane resulting in an approximately 30-foot setback between the fence along the southern boundary line of the subject property and the existing buildings. Due to this proximity, placement of the necessary bus loop and the planting buffer required by the code are synonymously impossible. These constraints are not applicable to any other properties in the vicinity because there are no other long-term civic uses occurring in the vicinity of the subject property.

3. **The use proposed will be the same as permitted under this title and city standards will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land;**

Applicant's Findings: There is no proposed change in use. The subject property is developed with Scenic Middle School, a middle school is one of the intended uses for the "Civic" zone district. All other code standards, as addressed within the concurrently filed SPAR application, are met through the proposal. As addressed above, there is no other viable location to place the necessary bus loop and the location cannot accommodate both the necessary loop and the required buffer landscaping.

4. **Existing physical and natural systems, such as but not limited to traffic, drainage, natural resources, and parks, will not be adversely affected any more than would occur if the development occurred as specified by the subject code standard;**

Applicant's Findings: To the contrary, the variance is requested specifically to positively impact existing traffic patterns occurring on and around school grounds. There is already a cyclone fence with white "privacy slats" installed along the southern boundary of the subject property. This screening will remain in place and the only change experienced will be a positive effect on traffic patterns currently experienced on Aurora Lane by decreasing their intensity. The lack of planting trees and shrubs inside of the privacy fence will not adversely affect the subject nor surrounding properties. The cyclone fence with white privacy slats is what the residents of Aurora Lane currently observe, and that observation would remain the same if the requested variance wasn't necessary due to spatial accommodation constraints.

5. **The hardship is not self-imposed; and**

Applicant's Findings: As previously addressed, the school and the structural configuration have been in existence since at least the mid-1960's (*Please see Assessors field sketch/building inventory from 1968 at Exhibit "C"*). The school grounds were developed in their current configuration prior to any zoning regulation and the designers of the school could not have anticipated future regulation. Due to the existing structures and limited existing open space (a necessary component of any educational facility) the hardship is not self-imposed.

6. **The variance requested is the minimum variance that would alleviate the hardship. (Ord. 1874 §5(part), 2006). [CPMC 17.13.500(C)]**

Applicant's Findings: The proximity of existing structures to the southern property boundary leaves no room for any planting and omission of the planting requirements is consequently the minimum variance that will alleviate the hardship in this location.

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E. Conclusion.

Based upon the findings set forth herein and the evidence submitted in conjunction with this Application, Applicant respectfully contends that the applicable standards and criteria have been met and the Application for the variance to the requirements of CPMC Section should be approved.

Dated this 11th day of April 2022.

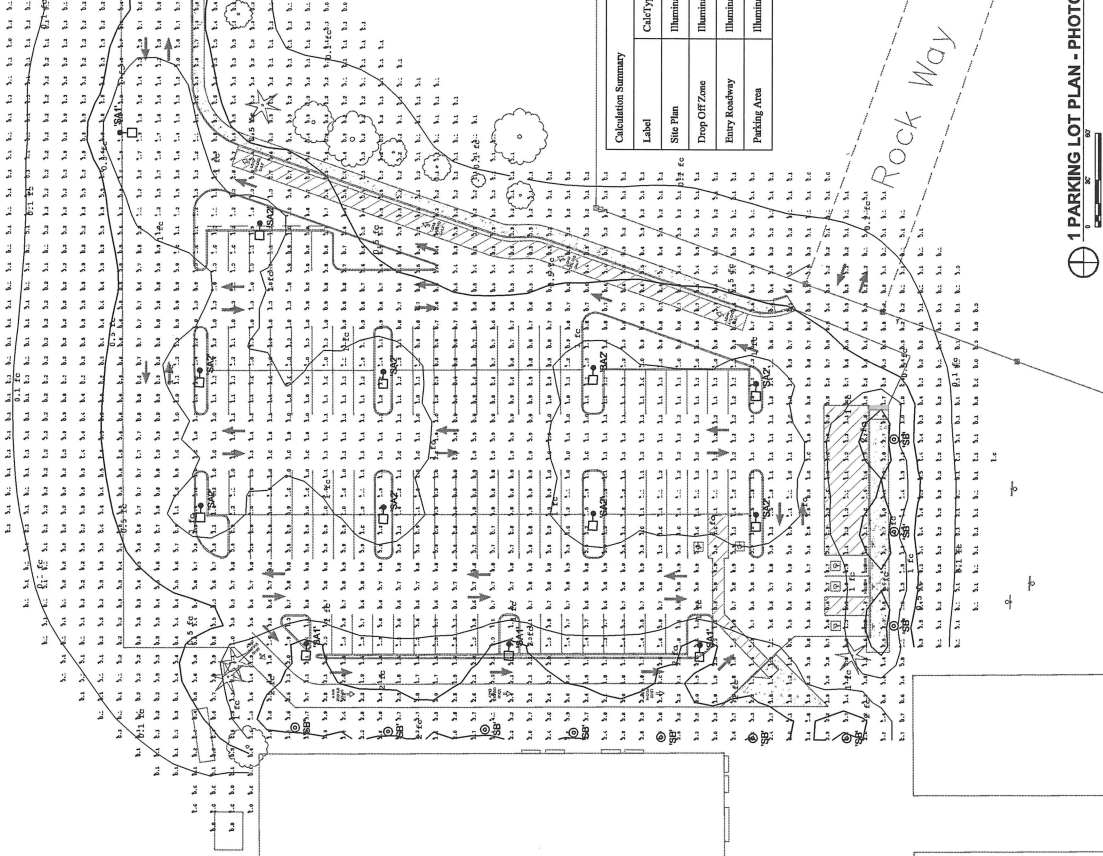
O'CONNOR LAW, LLC



Daniel B. O'Connor, OSB No. 950444

LUMINAIRE SCHEDULE

TYPE	DESCRIPTION	HOUSING	SHIELDING	DRIVER	INPUT	NOTES
S1	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 1 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES
S2	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 2 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES
S3	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 3 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES
S4	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 4 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES
S5	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 5 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES
S6	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 6 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES
S7	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 7 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES
S8	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 8 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES
S9	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 9 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES
S10	ASBESTOS FIBERGLASS POLE MOUNTED	ALUMINUM	TYPE 10 (SHIELD)	DRIVER	POWER SUPPLY	MEASUREMENTS & DIMENSIONS SERIES



Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Site Plan	Illuminance	Fc	0.71	4.1	0.0	N.A.	N.A.
Drop Off Zone	Illuminance	Fc	2.30	4.1	1.6	1.44	2.56
Entry Roadway	Illuminance	Fc	1.25	2.2	0.6	2.08	3.67
Parking Area	Illuminance	Fc	0.99	2.4	0.5	1.98	4.80

- GENERAL NOTES:
- AREA POLE MOUNTED LUMINAIRES, TYPE S41 AND S42 HAVE A MOUNTING HEIGHT OF 20'-0" ABOVE FINISH GROUND, ABOVE GRADE CONCRETE PAVEDAL OF 2'-0".
 - AREA POLE MOUNTED LUMINAIRES, TYPE S8 HAVE A MOUNTING HEIGHT OF 12'-0" ABOVE FINISH GROUND, FLUSH CONCRETE PAVEDAL.
 - PHOTOMETRIC CALCULATIONS ARE AT GRADE LEVEL ON PAVEMENT.
 - CALCULATIONS ARE EXPECTED AVERAGE MAINTAINED ILLUMINATION AT GRADE DURING NORMAL RATED LIFE OF THE LUMINAIRE.
 - ISO-LUMINANCE LINES INDICATE 2, 1 AND 0.5 FOOTCANDLE.
 - LLF OF 0.80.

1 PARKING LOT PLAN - PHOTOMETRICS

140 SW Simpson Ave., Suite 200
 Bend, Oregon 97702
 541.322.5533 | 541.329.8033



JACKSON COUNTY
 DISTRICT #16
 SCENIC HILLS
 SCHOOL PARKING
 LOT IMPROVEMENTS

1955 SCENIC AVE.
 CENTRAL POINT, OR
 97502

No.	Description	Date

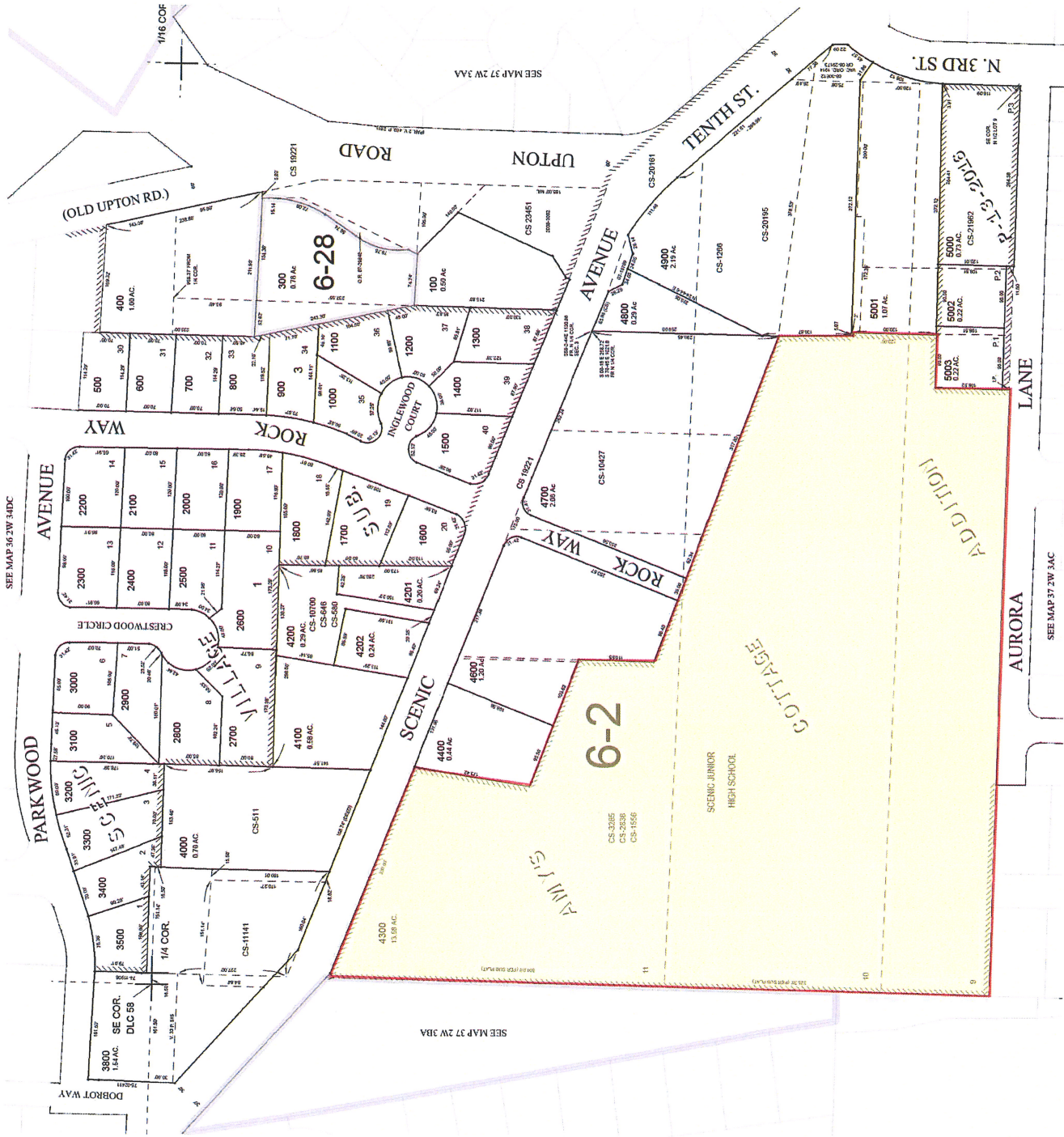
Project Number: 200248
 Date: 02.11.2022

SITE PLAN REVIEW

SITE PHOTOMETRICS

E1.1PH

- CANCELLED TAX LOT NUMBERS
 2800 ADDED TO 3800
 2810 ADDED TO 3810
 3790 ADDED TO 3800
 3790 ADDED TO 3800
 3801 ADDED TO 3800
 3900 ADDED TO 3900
 3901 ADDED TO 3900
 4402 ADDED TO 3800
 4500 ADDED TO 3800



FOR ASSESSMENT AND
TAXATION ONLY

SCENIC JUNIOR HIGH SCHOOL

1955 Scenic Ave.
Central Point, Oregon

C. A. Meyer, Superintendent
John McCoy, Principal

Spring

Schedule:

UNIT 1

- 104 Inskeep
- 105 Brammfield
- 111 Jenkins
- 110 Open
- 114 Open

UNIT 2

- 201 Cochran
- 202 Green
- 203 Owen
- 204 Stone
- 208 Noelle
- 209 Backe
- 210 Hobbs
- 211 T. Gardner

UNIT 3

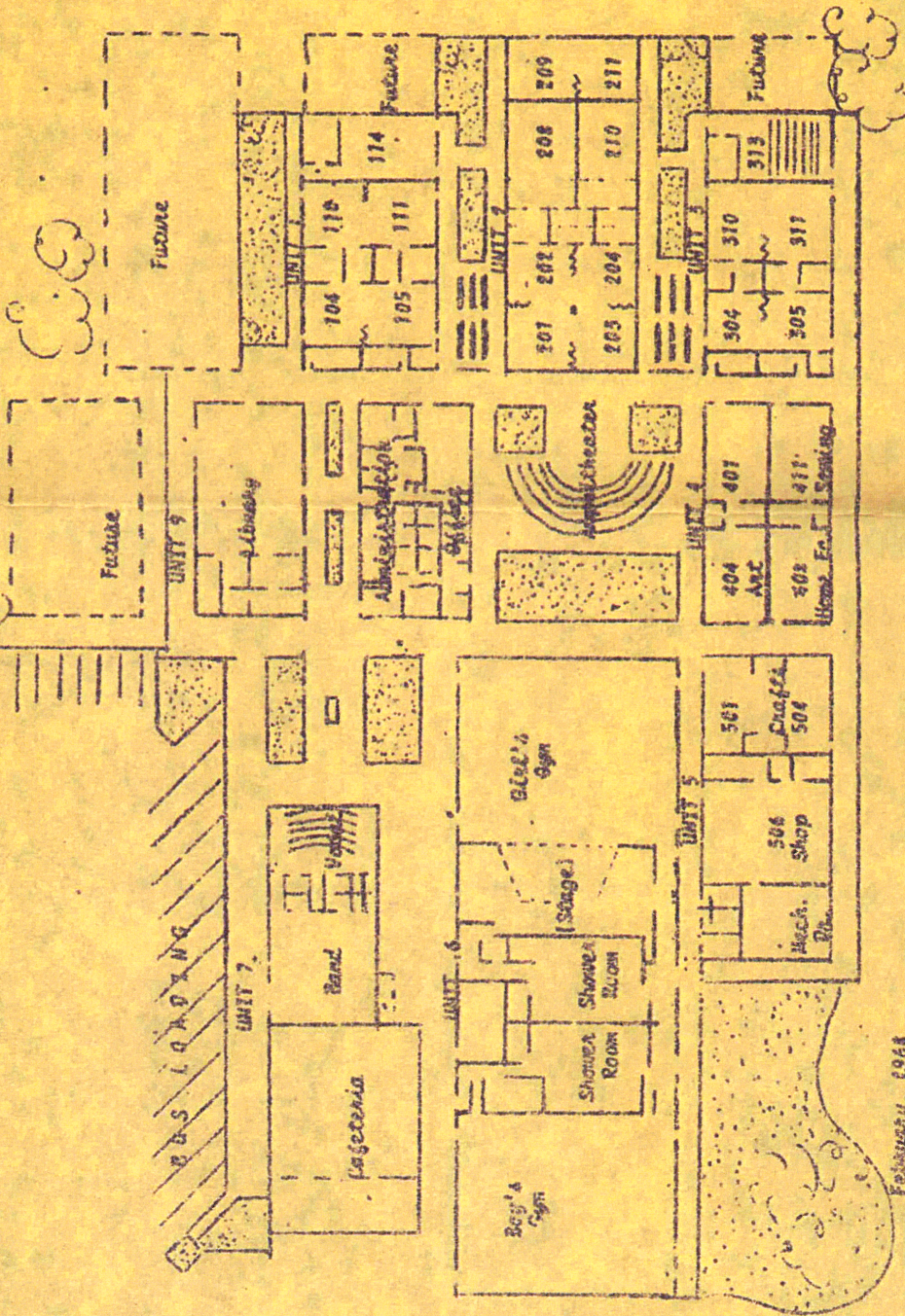
- 304 Rodriguez
- 305 Plonch
- 310 Boushant
- 311 Bailey
- 313 Open

UNIT 4

- 401 Top - Open
- 404 Roberts
- 408 Wallace
- 411 "

UNIT 5

- Murphy & Roberts



Fekushy, 1968

6-2

372W3A-601

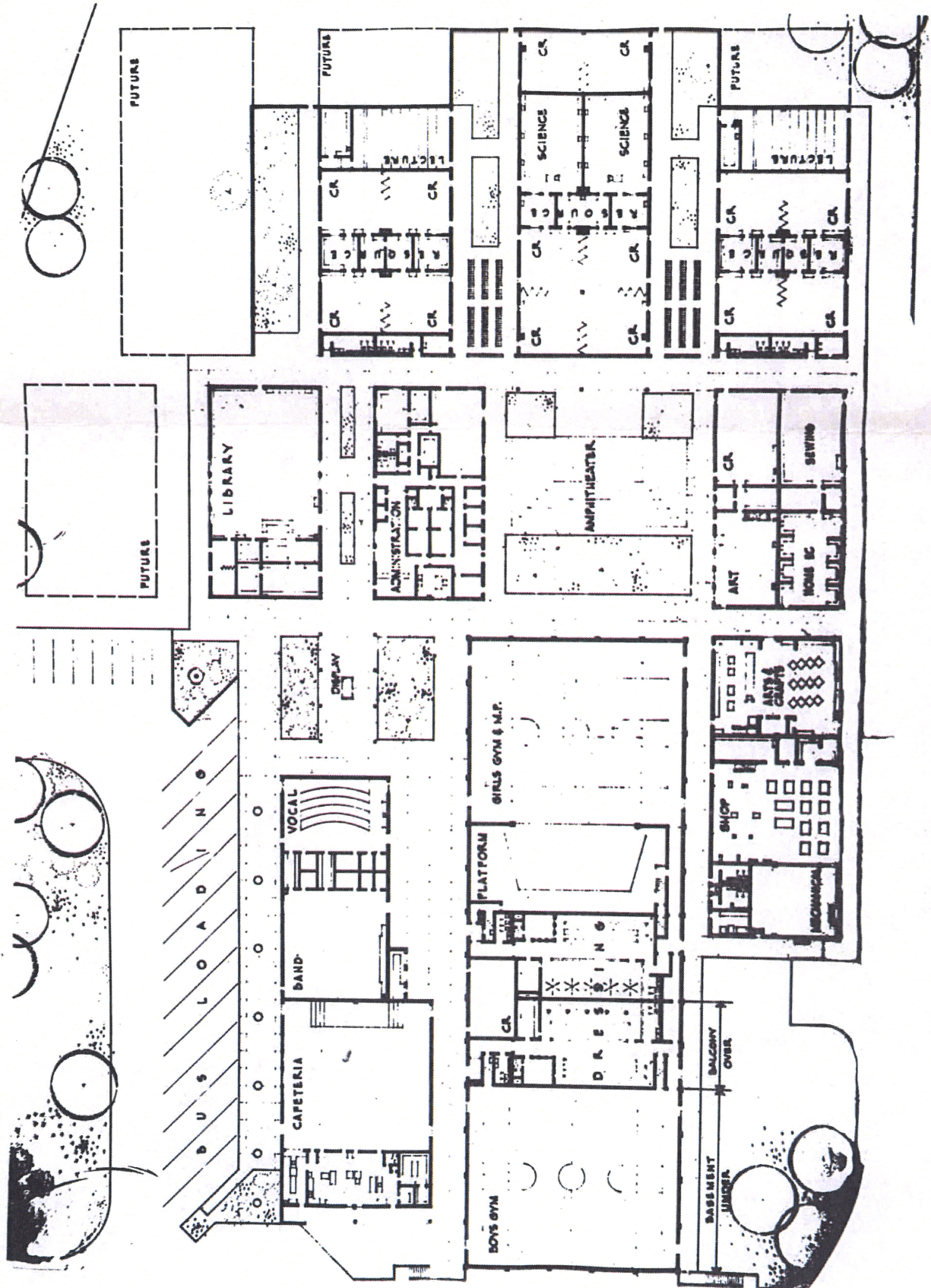
12-6-68

TO SCULP
AVE.

FOOTBALL FIELD
TRACK
GRANITE

CORRIDOR
WALK





372W3AB-4300'
SCENIC 1/2 E. High

Asphalt:

- 150 x 325 = 48750
- 30 x 450 = 13500
- 20 x 300 = 6000
- 68250

Chain-link fencing:

- 235'
- 210
- 75
- 110
- 630 LF

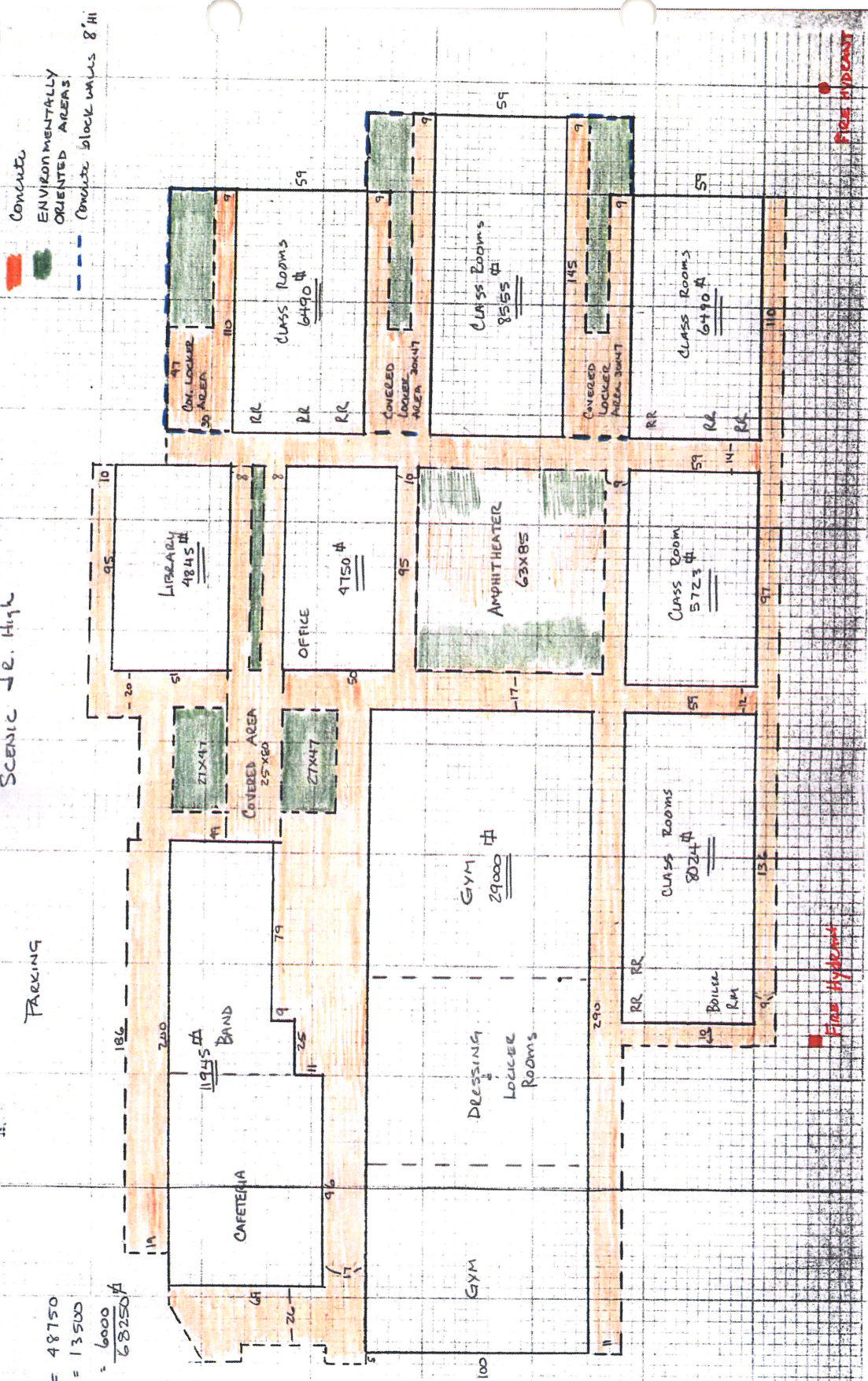
Bike cage:

120 LF

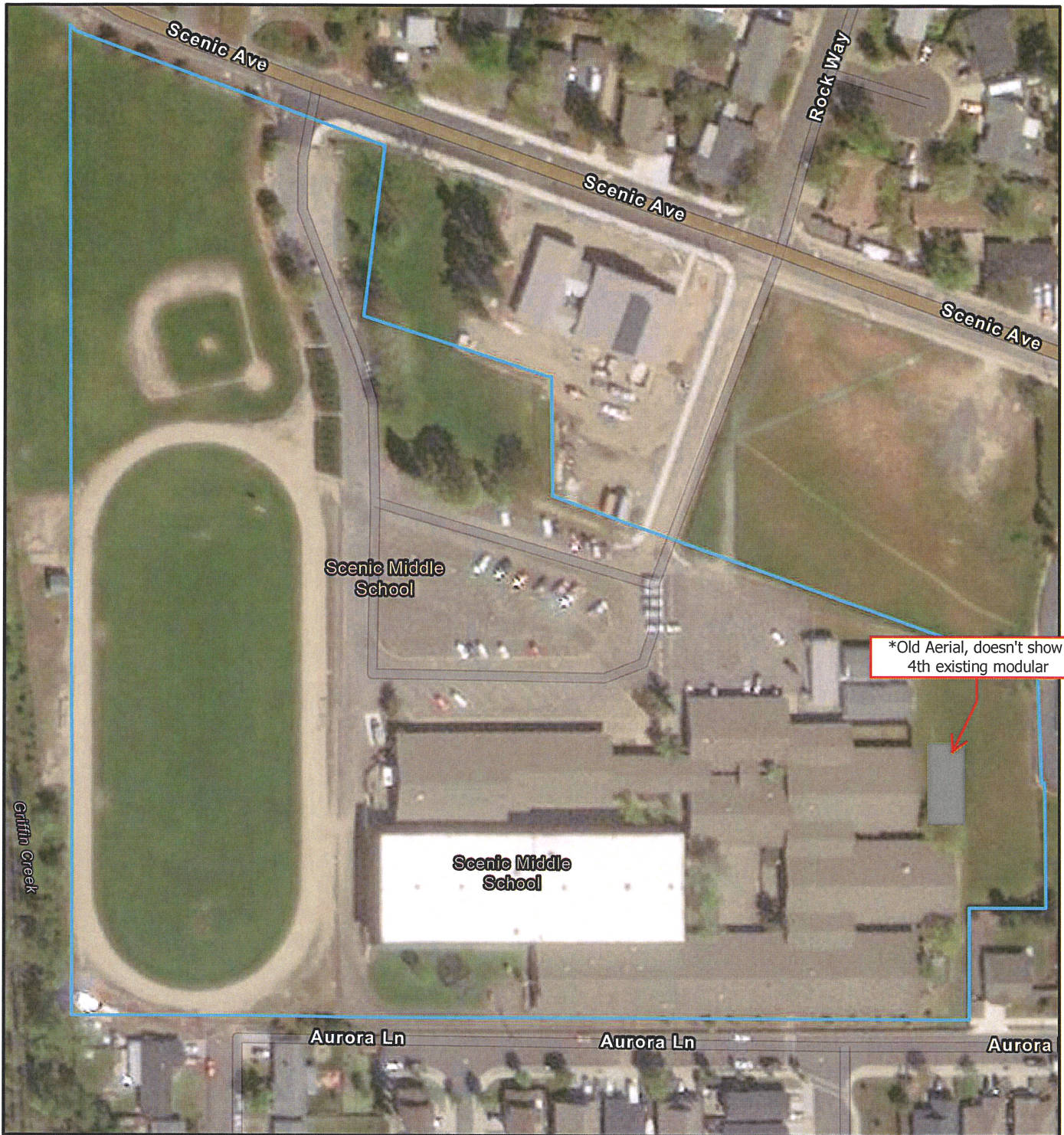
508 LOCKERS
TOTAL

- 25 x 80 = 2000
- (3) 30 x 47 = 1410
- 3410

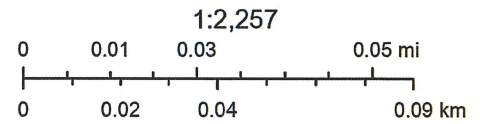
PARKING



Aerial Imagery

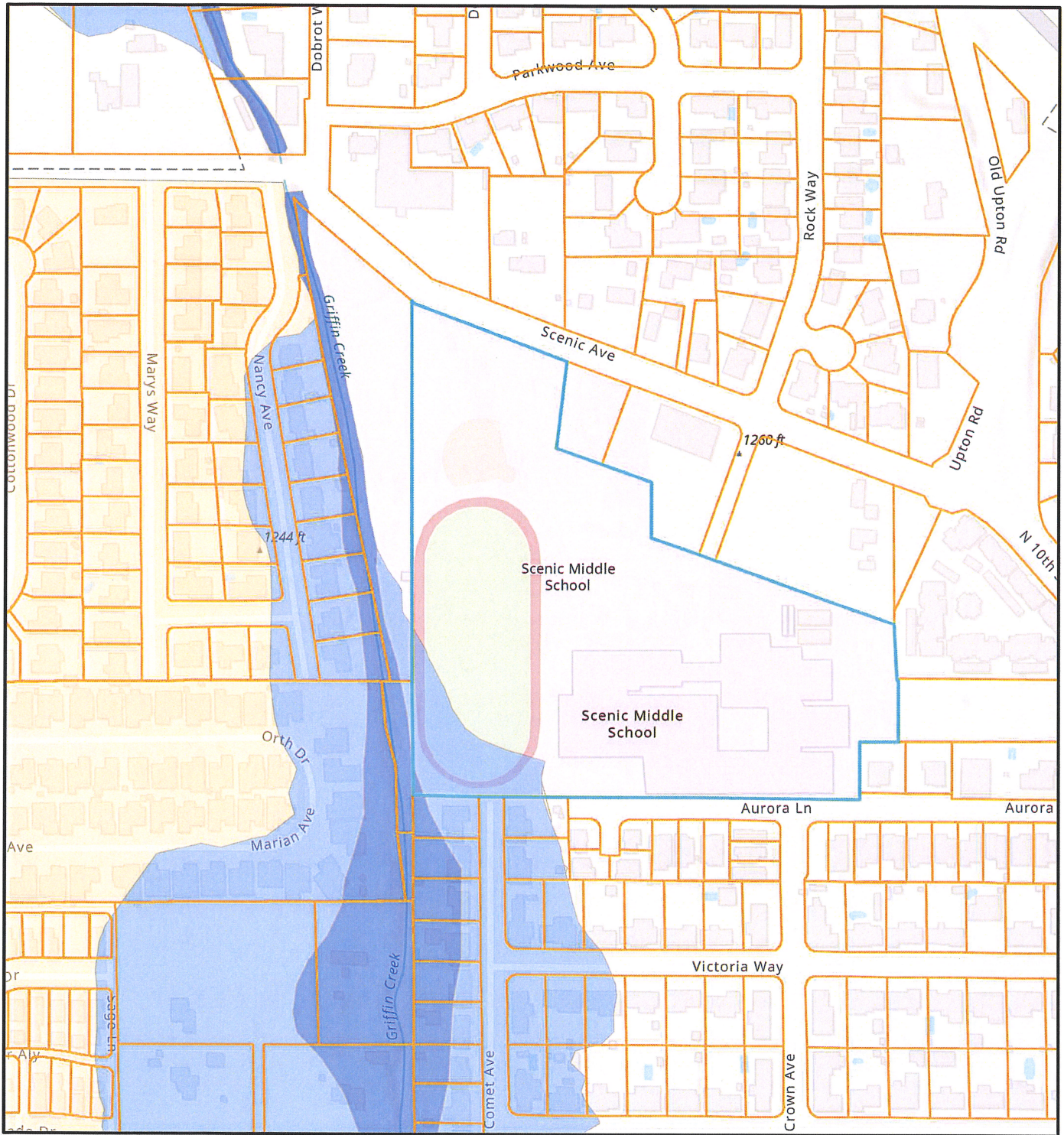






March 13, 2022

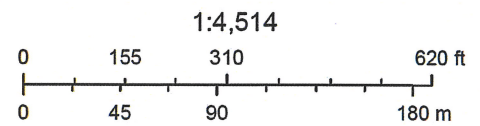


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Floodplain



-  Tax Lots
- FEMA Flood Zones**
-  100 Year Determined BFE
-  500 Year Boundary
-  Floodway



South facing view of existing landscaping, east of the property entrance located at the northwestern corner of the subject property.



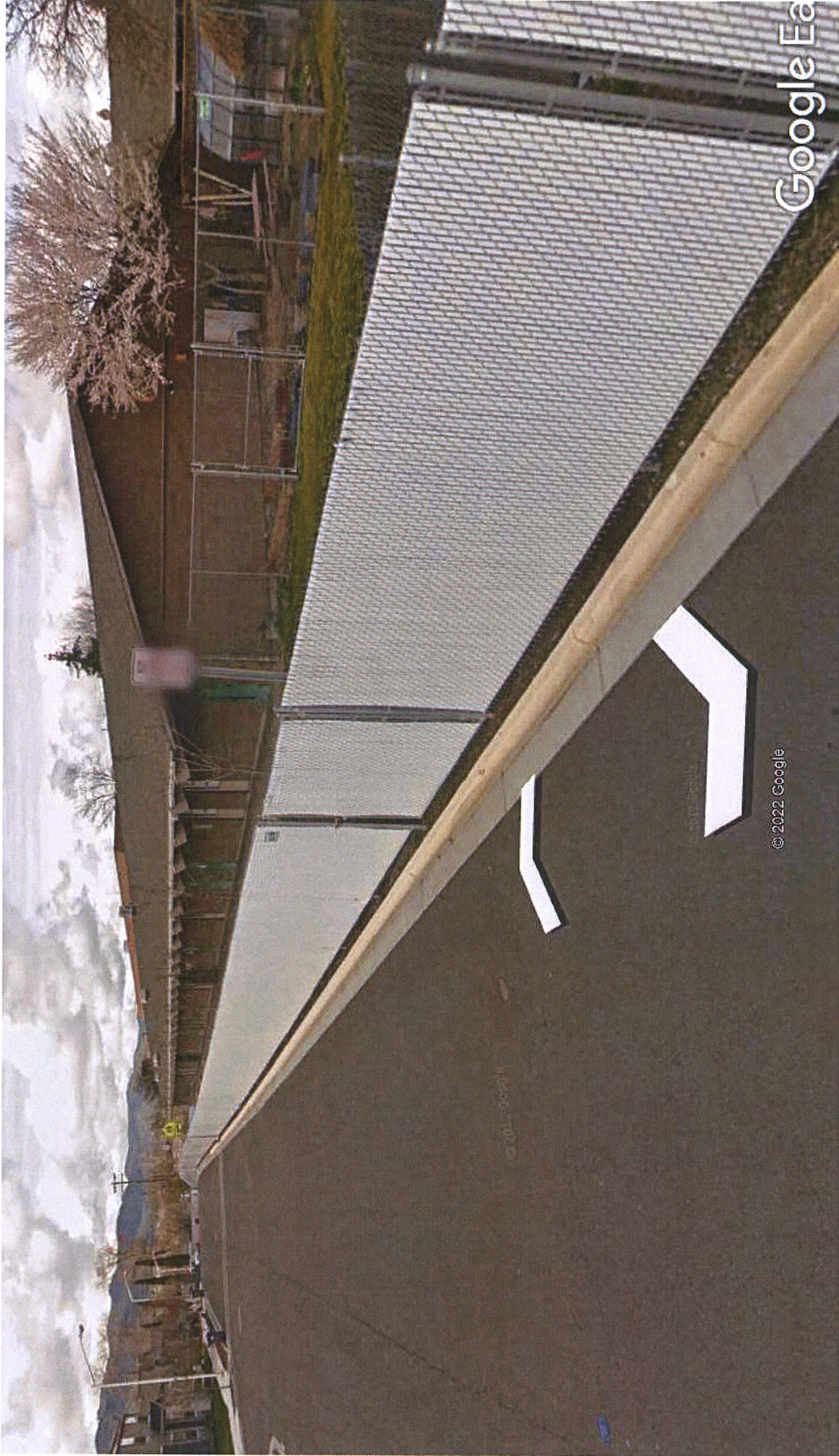
South facing view of existing landscaping, west of the property entrance located at the northwestern corner of the subject property.



View of existing fencing along southern property boundary, abutting Aurora Lane



Location bus loop will enter the southeastern corner of the subject property



Pedestrian Crossing and existing fencing along southern property boundary, abutting Aurora Lane



Fire District #3 Signage on fencing along southern boundary (Aurora Lane)



Proposed bus loop egress point on to Comet Avenue



Existing Fencing: Panel with reflective diamond to be replaced with rolling gate.



**AGENT AUTHORIZATION
CITY OF CENTRAL POINT, OREGON**

LET IT BE KNOWN that Daniel O'Connor of O'Connor Law, LLC has been retained to Act as Agent regarding a Site Plan Review application and a Variance application for the property identified below, which is owned by the undersigned.


Address or Road: 1955 Scenic Avenue

AS DESCRIBED IN THE RECORDS OF JACKSON COUNTY AS:


TOWNSHIP: 37 **RANGE:** 2W **SECTION:** 03B **TAX LOT:** 4300

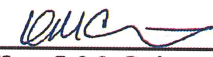
This authorization is valid for ONE YEAR.

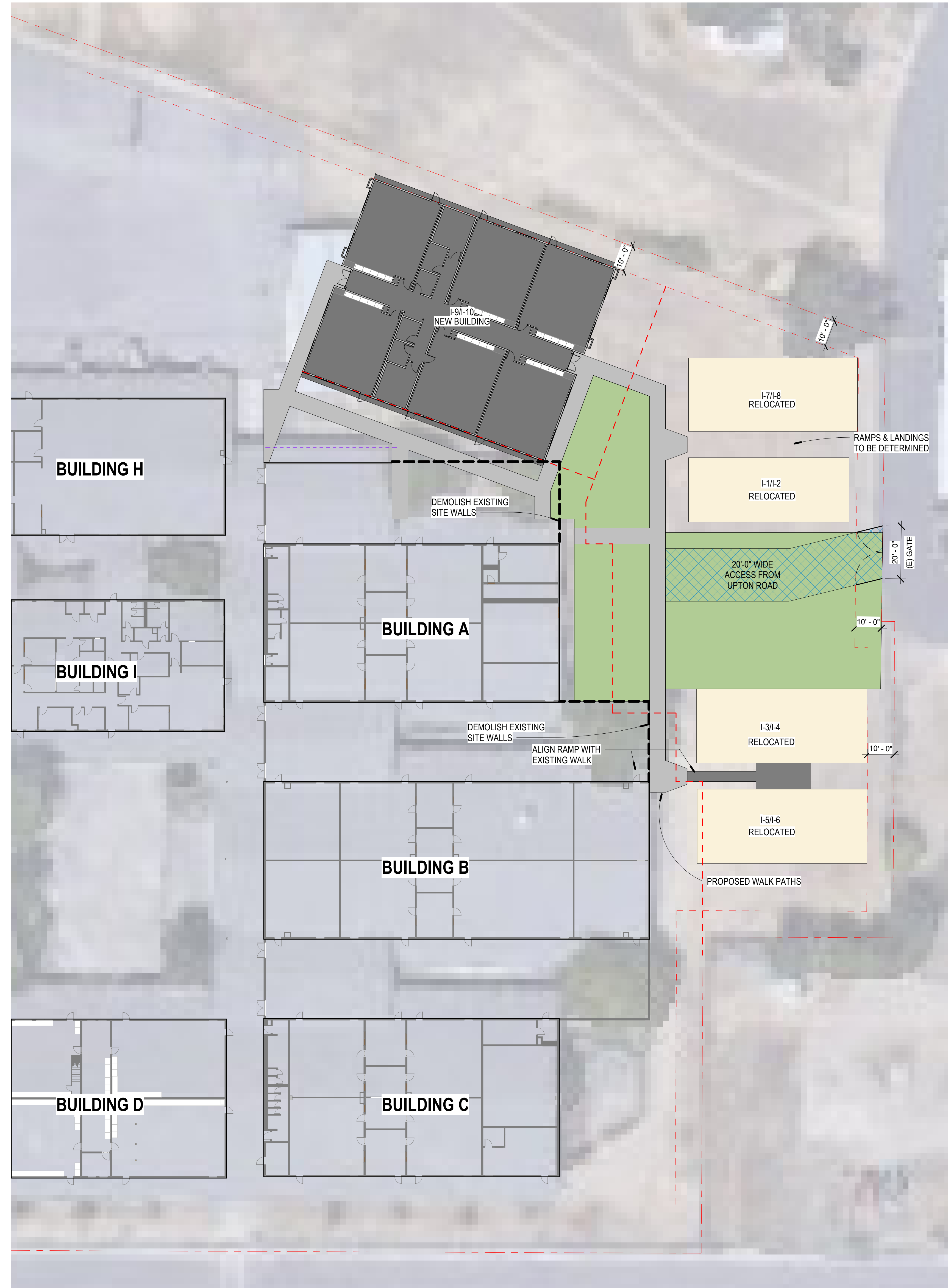
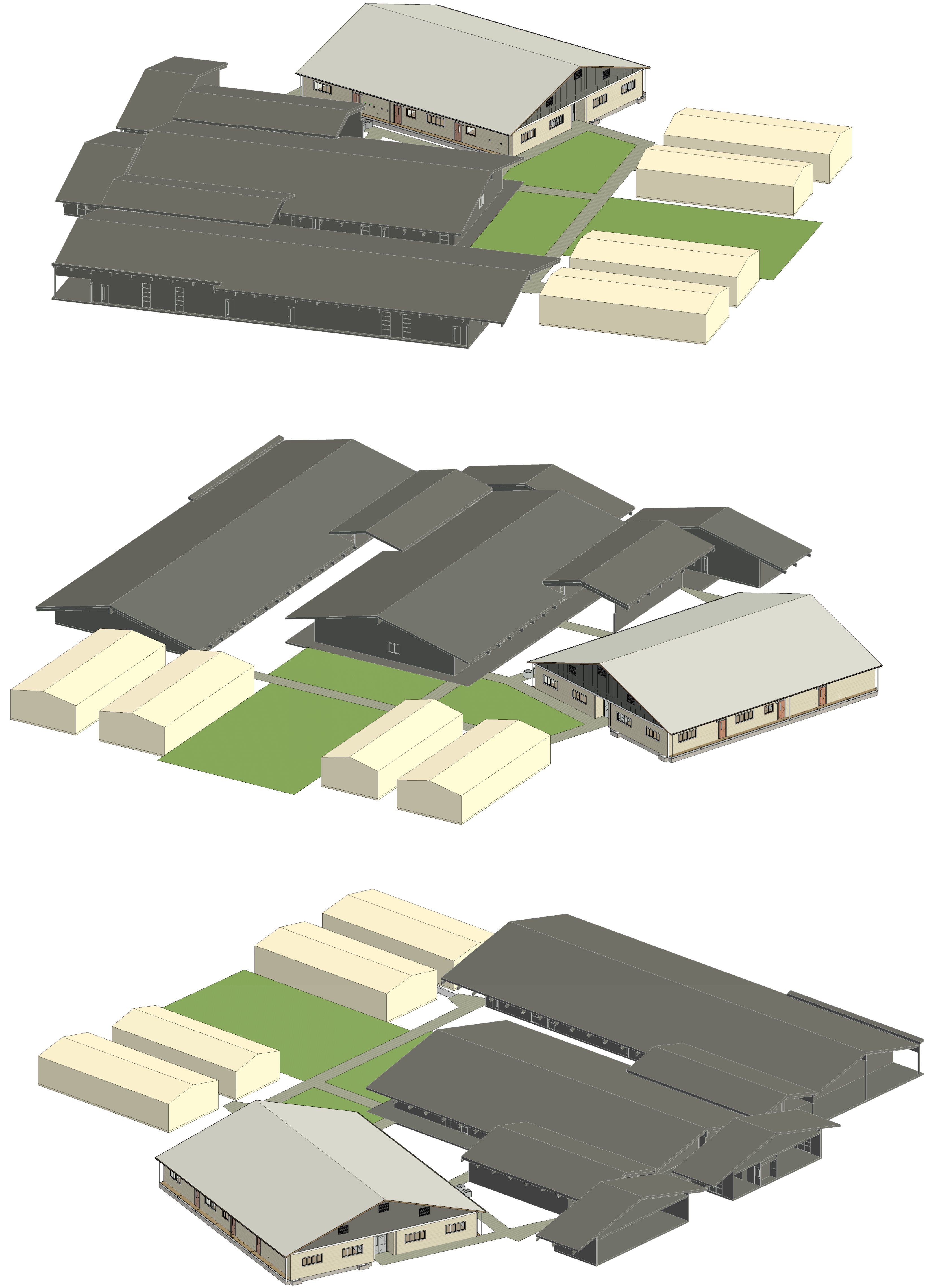
PROPERTY OWNER: Central Point School District #6

Signature:  _____ **Date:** 3/14/22
Printed Name: Spencer Davenport
Address: 300 Ash Street, Central Point, Oregon 97502-2279
Phone: 541-494-6201

AGENT: Daniel O'Connor or Kate J. McGuire, O'Connor Law, LLC

Signature:  _____ **Date:** 02/28/2022
Printed Name: Daniel O'Connor
Address: 670 G Street, Suite B, Jacksonville, Oregon 97530-6501
Phone: 541-702-5350

Signature:  _____ **Date:** 02/28/2022
Printed Name: Kate J. McGuire
Address: 670 G Street, Suite B, Jacksonville, Oregon 97530-6501
Phone: 541-702-5350 (Ext. #2)



SITE PLAN

SCENIC MIDDLE SCHOOL NEW CLASSROOMS

1955 Scenic Ave, Central Point, OR 97502

03-08-2022

© 2022 O R W | Architecture, AIA

① ENLARGED SITE PLAN
1" = 20'-0"