

ORDINANCE NO. 2089

**AN ORDINANCE ADDING CENTRAL POINT MUNICIPAL CODE
CHAPTER 5.44 MOBILE FOOD BUSINESSES AND AMENDING VARIOUS
SECTIONS IN TITLE 17 ZONING TO BE CONSISTENT WITH THE MOBILE FOOD
BUSINESS LOCATION AND APPLICATION REQUIREMENTS**

Recitals:

- A. Words ~~lined through~~ are to be deleted and words **in bold** are added.
- B. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- C. Pursuant to the requirements set forth in CPMC 17.10.100 Zoning Map and Zoning Code Text Amendments – Purpose and Chapter 17.05.500, Type IV Review Procedures, the City has initiated an application and conducted the following duly advertised public hearings to consider the proposed amendments:
 - a. Planning Commission hearing on June 7, 2022.
 - b. City Council hearing on June 23, 2022 and July 14, 2022

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Adds Chapter 5.44 of the Central Point Municipal Code to expand opportunities for mobile food businesses and establish clear application requirements and standards:

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.

SECTION 2. Amendments are needed in CPMC 17 to identify Mobile Food Vendors and pods as a permitted use as provided in and to be consistent with CPMC 5.44.

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 <u>1.20</u>	City Council	No
Legislative	Type IV	Chapter <u>1.20</u>	City Council	No
Comprehensive Plan & UGB Amendments				
Major	Type IV	Chapter <u>17.96</u>	City Council	No
Minor	Type III	Chapter <u>17.96</u>	City Council	No
Conditional Use Permit	Type III	Chapter <u>17.76</u>	Planning Commission	Yes
Conversion Plan	Type II	Chapter <u>16.32</u>	Director	Yes
Extensions				
Type I Procedures	Type I	Section 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
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 <u>16.36</u>	Director	Yes
Tentative Plan, Subdivision	Type III	Chapter <u>16.10</u>	Planning Commission	Yes
Final Plat	Type I	Chapter <u>16.12</u>	Director	No
Property Line Adjustment/Consolidation	Type I	Chapter <u>16.10</u>	Director	Yes
Modification of Approval				

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
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 <u>17.68</u>	Planning Commission	Yes
Right-of-Way Vacation	Type IV	Chapter <u>12.28</u>	City Council	No
Site Plan and Architectural Review				
Minor	Type I	Chapter <u>17.72</u>	Director	Yes
Major	Type II	Chapter <u>17.72</u>	Director	Yes
TOD District/Corridor Master Plan	Type III	Chapter <u>17.66</u>	Planning Commission	Yes
Tree Removal	Type II	Chapter <u>12.36</u>	Director	Yes
Variance				
Class A	Type II	Section 17.13.300	Director	Yes
Class B	Type III	Section 17.13.400	Planning Commission	Yes
Class C	Type III	Section 17.13.500	Planning Commission	Yes
Zoning Map and Zoning and Land Division Code Text Amendments				
Minor	Type III	Chapter <u>17.10</u>	City Council	Yes
Major	Type IV	Chapter <u>17.10</u>	City Council	No

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

17.29.050 Use categories and zone districts.

Use Categories	Civic Zoning (C)
Commercial	
Entertainment	N
Professional Office	N
Retail Sales and Service	
Sales-Oriented/Concessions	C1
Mobile Food Vendors and 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 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 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 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 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 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

Use Categories	Table 1 TOD District Land Uses						
	Zoning Districts						
	LMR	MMR	HMR	EC	GC	C	OS
Commercial							
Entertainment	N	N	C	P, L7	P, L8, L9	N	N
Professional Office	C	L3	L3, L4	P	P	P	N
Retail Sales and Service							
Sales-oriented	C	L3	L3	P	P	N	N

**Table 1
TOD District Land Uses**

Use Categories	Zoning Districts						
	LMR	MMR	HMR	EC	GC	C	OS
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.

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

L8—Mobile Food Vendors and 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.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to “code”, “article”, “section”, “chapter”, or other word, and the sections of this Ordinance may be renumbered, or re-lettered,

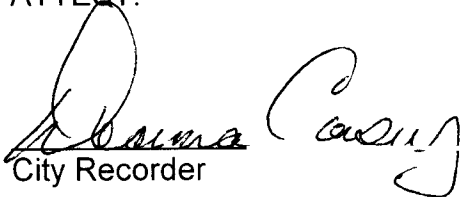
provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 4. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Passed by the Council and signed by me in authentication of its passage this 14th day of July, 2022.


Mayor Hank Williams

ATTEST:


City Recorder