

ORDINANCE NO. 2100

**AN ORDINANCE AMENDING ORDINANCE NO. 1989 §1 (IN PART) REGARDING TITLE 17 ZONING**

Recitals:

- A. 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.
- B. For consistency with existing policy in the Land Use Element of the Comprehensive Plan and conciseness, staff recommends removing reference to TOD Districts and Corridors and utilizing TOD Overlays to refer to all such areas.
- C. For consistency with existing policy in the Land Use Element of the Comprehensive Plan, the C-2(M), Commercial Medical zoning district language in CPMC 17.37 is repealed.
- D. Pursuant to OAR 660-012-400 through 415, the City of Central Point is eliminating minimum parking standards and reforming parking requirements to address state goals relative to Climate Friendly & Equitable Communities.
- E. In order to address community concerns about parking and transportation access, staff is recommending modification of the Site Plan and Architectural Review submittal requirements in CPMC 17.72 to clarify the information needed to evaluate applications, including provision of a Mobility Plan.
- F. In accordance with CPMC 17.05.500, the City of Central Point Citizen's Advisory Committee considered the proposed amendments at their meeting on April 18 2023 and recommended the City Council approve the amendments.
- G. In accordance with CPMC 17.05.500 the following duly noticed public hearings were conducted:
  - 1. May 8, 2023 Planning Commission meeting, at which time the Planning Commission considered and approved Resolution No. 904 forwarding a favorable recommendation to the City Council to approve the proposed amendments to Title 17 (in part); and,
  - 2. May 25, 2023 City Council.
- H. Words ~~lined through~~ are to be deleted and words **in bold** are added.

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

SECTION 1. Section 1. Table 17.05.1 of Ordinance No. 1989 (2014) is hereby amended in part to read:

1 – Ordinance No. 2100; (Council Meeting 6/2/23)

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
Annexation				
Quasi-Judicial	Type III	Chapter <a href="#">1.20</a>	City Council	No
Legislative	Type IV	Chapter <a href="#">1.20</a>	City Council	No
Comprehensive Plan & UGB Amendments				
Major	Type IV	Chapter <a href="#">17.96</a>	City Council	No
Minor	Type III	Chapter <a href="#">17.96</a>	City Council	No
Conditional Use Permit	Type III	Chapter <a href="#">17.76</a>	Planning Commission	Yes
Conversion Plan	Type II	Chapter <a href="#">16.32</a>	Director	Yes
Extensions				
Type I Procedures	Type I	Section <a href="#">17.05.200(G)</a>	Director	Yes
Type II Procedures	Type II	Section <a href="#">17.05.300(G)</a>	Director	Yes
Home Occupation	Type I	Section <a href="#">17.60.190</a>	Director	Yes
Land Division				
Tentative Plan, Partition	Type II	Chapter <a href="#">16.36</a>	Director	Yes
Tentative Plan, Subdivision	Type III	Chapter <a href="#">16.10</a>	Planning Commission	Yes
Final Plat	Type I	Chapter <a href="#">16.12</a>	Director	No
Mobile Food Business				
Mobile Food Vendor	Type I	Section <a href="#">5.44.030</a> Chapter <a href="#">17.72</a>	Director	Yes
Mobile Food Pod	Type II	Section <a href="#">5.44.040</a> Chapter <a href="#">17.72</a>	Director	Yes
Mobile Food Court	Type III	Section <a href="#">5.44.050</a> Chapter <a href="#">17.76</a> Chapter <a href="#">17.72</a>	Planning Commission	Yes
Specialty Food Vendor	Type I	Section <a href="#">5.44.060</a>	Director	No
Modification of Approval				
Major	Type III	Section <a href="#">17.09.300</a>	Planning Commission	Yes
Minor	Type II	Section <a href="#">17.09.400</a>	Director	Yes
Nonconforming Use Designation	Type III	Section <a href="#">17.56.040</a>	Planning Commission	No

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
Planned Unit Development	Type III	Chapter <a href="#">17.68</a>	Planning Commission	Yes
Property Line Adjustment/Consolidation	Type I	Chapter <a href="#">16.10</a>	Director	Yes
Right-of-Way Vacation	Type IV	Chapter <a href="#">12.28</a>	City Council	No
Site Plan and Architectural Review				
Minor	Type I	Chapter <a href="#">17.72</a>	Director	Yes
Major	Type II	Chapter <a href="#">17.72</a>	Director	Yes
TOD District/Corridor Overlay Master Plan	Type III	Chapter <a href="#">17.66</a>	Planning Commission	Yes
Tree Removal	Type II	Chapter <a href="#">12.36</a>	Director	Yes
Variance				
Class A	Type II	Section <a href="#">17.13.300</a>	Director	Yes
Class B	Type III	Section <a href="#">17.13.400</a>	Planning Commission	Yes
Class C	Type III	Section <a href="#">17.13.500</a>	Planning Commission	Yes
Zoning Map and Zoning and Land Division Code Text Amendments				
Minor	Type III	Chapter <a href="#">17.10</a>	City Council	Yes
Major	Type IV	Chapter <a href="#">17.10</a>	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.

SECTION 2. Section 1 Definitions of Ordinance No. 1867 (2006) is hereby amended in part by adding the following additional definitions:

**17.08.010 Definitions, specific.**

**“ADA Accessible” means accessible to a person with disabilities as required by the American with Disabilities Act.**

**“ADA Accessible dwelling unit” means a dwelling unit constructed to accommodate persons with disabilities, in compliance with the Americans with Disabilities Act and applicable construction requirements in adopted building codes.**

**“At or near a major transit stop” means:**

**“At” means a parcel or ownership that is adjacent to or includes a major transit stop generally including portions of such parcels or ownerships that are within 200-feet of a transit stop.**

**“Near” means a parcel or ownership that is within 300-feet of a major transit stop.**

**“Commercial parking lot” means a site without a primary use where vehicle parking spaces are rented or leased. It does not include shared parking.**

**“Major transit stop” means existing and planned transit stations, including light rail stations and other transit transfer stations, except for temporary facilities; other planned stops designated as major transit stops in a transportation system plan and existing stops that:**

- a. Have or are planned for an above average frequency of scheduled fixed-route service when compared to region wide service; or,**
- b. Are located in a transit-oriented development or within one-quarter mile of an area planned for:**
  - i. Medium or high-density residential development; or**
  - ii. Intensive commercial or institutional uses within one-quarter mile of land uses in paragraph (i); or,**
  - iii. Uses likely to generate a relatively high level of transit ridership.**

**“Parking Lot Driveway” means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but shall not include a parking aisle.**

**“Parking mandates” means requirements to include a minimum number of off-street parking spaces with development or redevelopment, or a fee-in-lieu of providing parking for residential development.**

**“Parking maximums” means limits on the number of off-street parking spaces that can be included in a development.**

**“Parking spaces” means on- and off-street spaces designated for automobile parking, other than parking spaces reserved for carpools, vanpools or parking under the Americans with Disabilities Act.**

**“People with disabilities” means people who have a record or history of physical, mental, intellectual, or sensory impairments that in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.**

**“Priority transit corridor” means a corridor that has a high existing or planned level of transit service relative to other transit service in the community, including service frequency and span of service. The corridor may be described as a series of stations when served by high capacity transit services with widely spaced stations.**

**“Shared parking” means parking spaces used to meet the parking mandates for two or more uses, structures, or parcels of land, to the extent that the owners or operators show the overall demand for parking spaces can be met by the shared parking.**

**“Transit Oriented Development (TOD)” means a mix of residential, retail and office uses and a supporting network of roads, bicycle, and pedestrian ways focused on a major transit stop designed to support a high level of transit use. The key features of transit-oriented development include:**

- a. A mixed-use center at the transit stop, oriented principally to transit riders and pedestrian and bicycle travel from the surrounding area;**
- b. High density residential development proximate to the transit stop sufficient to support transit operation and neighborhood commercial uses within the TOD;**
- c. A network of roads, and bicycle and pedestrian paths to support high levels of pedestrian access within the TOD and high levels of transit use.**

SECTION 3. In §1 of Ordinance No. 1867 (2006), §4 of Ordinance No. 1971 (2013), and §2 of Ordinance No. 2034 (2017) the following definitions are amended to read:

### **17.08.010 Definitions, specific.**

Dwelling, Single-Family. ~~“Single-family dwelling” means a detached building on a parcel/lot designed to be occupied by only one family. Single-family dwellings may be detached or attached, but do not include manufactured homes or mobile homes, which are defined separately.~~

“Master plan” means a long-term written and illustrated plan, prepared in accordance with Section [17.66.030\(A\)\(1\)](#), providing overall guidance and instruction for the use and development of specific geographic areas within TOD ~~districts or corridors~~ **Overlays**.

“Pets” means those animals, fowl, insects, or fish which are normally and reasonably kept as household pets, not including any animals that are **prohibited by city code**, considered wild or

vicious, or other creatures which, if not contained, would be considered dangerous to the public health or safety.

SECTION 4. In Section 1 Definitions of Ordinance No. 1815, Exhibit D (2000) the following definitions are amended to read:

### **17.08.410 TOD ~~district and corridor~~ Overlay definitions and uses.**

A. Definitions of Land Use Types. The purpose of this section is to classify land uses and activities into use categories for the TOD ~~district and corridor~~ **Overlay** in Chapters [17.65](#), [17.66](#), and [17.67](#) on the basis of common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and certain site factors. The types of uses allowed in the various zones are based on the goals and policies of the comprehensive plan.

\*\*\*

C. Residential Use Types.

1. Dwelling, Single-Family. **An attached or** detached dwelling unit located on its own lot.

a. Large and Standard Lot Single-Family, Detached. These include dwellings located on individual lots. Homes which are constructed on-site or manufactured homes are included under this definition.

b. Zero Lot Line, Detached. These residences are detached with building setbacks on the property line. Examples include Charleston row houses and courtyard cluster residences.

c. Attached Row Houses. These residences are attached along common side lot lines with adjoining units. They are classified as single-family residences because each unit is located on a separate lot, and they do not share common floors or ceilings with other dwelling units.

2. Dwelling, Multi-Family. A structure that contains ~~three~~ **two** or more dwelling units which share common walls, floors, or ceilings on ~~one~~ **a single** lot.

a. Plexes. These include two or more attached units on a single lot. They may have single or multiple stories. They share common walls with other dwelling units, but not common floors or ceilings.

b. Apartments and Condominiums. These include two or more attached units on a single lot. They typically have multiple stories. Common walls, floors and ceilings are shared with other dwelling units. Apartment complexes that have accessory services

such as food service, dining rooms, and housekeeping are included under this use type.

SECTION 5. Ordinance No. 1888, Exhibit A (2006) is amended in part to read:

### **17.12.020 Zones--Classification.**

For the purposes of this title, the following zones are established by the city:

<b>Abbreviation</b>	<b>District</b>
R-L	Residential low-density
R-1	Residential single-family
R-2	Residential two-family
R-3	Residential multiple-family
C-1	Neighborhood convenience shopping
<del>C-2(M)</del>	<del>Commercial medical district</del>
C-4	Tourist and office-professional
C-5	Thoroughfare commercial
M-1	Industrial
M-2	Industrial general
B.C.G.	Bear Creek Greenway
<del>TOD/OC</del>	<del>Transit-oriented district/corridor</del>
	<b>Development Overlay</b>
LMR	Low mix residential
MMR	Medium mix residential
HMR	High mix residential
EC	Employment commercial
GC	General commercial
C	Civic
OS	Open space

SECTION 6. Ordinance Nos. 1972 §2 (2013) and 2034 §4 (part) (2017), regarding CPMC 17.24.050 Subsection H, are amended in part to read:

### **17.24.050 Area, width and yard requirements.**

7 – Ordinance No. 2100; (Council Meeting 6/8/23)

H. With the exception of the density requirements in Section [17.24.055](#), at the discretion of the applicant, a development application within the R-2 zoning district shall be subject to the following site development standards:

1. The normal base zone requirements as identified in this chapter; or
2. The [TOD](#)-LMR requirements as set forth in Chapter [17.65](#), [TOD District \*\*Overlay\*\*](#) Zoning Standards, and Chapter [17.67](#), Design Standards—[TOD District and Corridor \*\*Overlay\*\*](#).

SECTION 7. Ordinance No. 2034 §5 (2017), regarding [CPMC 17.28.050 Subsection B](#), is amended to read:

### **17.28.050 Development standards.**

B. With the exception of the density requirements in subsection (A)(9) of this section, at the discretion of the applicant, a development application within the R-3 zoning [district](#) shall be subject to the following site development standards:

1. The normal base zone requirements as identified in this chapter; or
2. The [TOD](#)-MMR site development requirements as set forth in Chapter [17.65](#), [TOD District \*\*Overlay\*\*](#) Zoning Standards, and Chapter [17.67](#), Design Standards—[TOD District and Corridor \*\*Overlay\*\*](#).

SECTION 8. Ordinance No. 2064 §2 (2020) is amended to read:

### **17.60.030 Accessory building Buildings and Structures**

Accessory buildings **and structures** shall comply with all requirements for the principal use except where specifically modified by this title and shall comply with the following limitations:

A. Regardless of the side and rear yard requirements of the district, in a residential district a side or rear yard not adjoining a street may be reduced to five feet for an accessory structure erected more than fifty-five feet from the street right-of-way line on which the lot fronts, other than alleys, provided the structure is detached and separated from other buildings by ten feet or more.

B. Canvas-Covered Canopies and Other Temporary Structures. Temporary structures in residential districts (R) shall not be permitted within a front setback and only within a side setback that does not abut a public right-of-way. Temporary structures within a side setback 8 – Ordinance No. [2100](#); (Council Meeting [6/8/23](#))



shall be at least three feet from the side lot line measured from the furthest protrusion or overhang. Such structures are to be anchored to the ground in accordance with building code requirements.

C. Structural Dimensions. All accessory buildings **and structures** will be subject to the requirements of all building specialty codes adopted under the Central Point Municipal Code.

1. Height. Accessory structures in residential (R) districts shall not exceed ~~twenty-five~~ **fifteen (15)** feet if ~~detached from the main structure.~~ Structures greater than fifteen feet but less than ~~twenty-five feet~~ in height shall be set back a minimum of five feet from a side or rear lot line **in height, measured from the base to the highest point.**

2. Width and Length. ~~Garages and carports intended to satisfy the municipal code requirement for two off-street covered parking spaces shall be a minimum interior dimension of twenty feet in width by twenty feet in length. Standard garage doors shall be of adequate width to facilitate safe passage and maneuvering of automobile traffic.~~

3. Alley Setback. Accessory structures in residential (R) districts ~~which~~ **that** abut an alley, are used as garages, and take their access from the alley shall have a setback of ~~fifteen~~ **five (5)** feet from the rear property line.

SECTION 9. Ord. 2064 §4, 2020; Ord. 2034 §9, 2017; Ord. 2028 §3, 2016; Ord. 2002 §2 (Exh. A) (part), 2015; Ord. 1946 (part), 2011 are amended in part to read:

See Exhibit "A" for revised Chapter 17.64.

SECTION 10. Ord. 2034 § 10, 11 (2017), Ord. 2014 §10 (part), 2015; Ord. 2002 §2 (Exh. A) (part), 2015; Ord. 1971 §4 (Exh. C) (part), 2013; Ord. 1867 §5(part), 2006; Ord. 1815 §1(part), Exh. B(part), 2000) are amended in part to read:

See Exhibit "B" for revised Chapter 17.65.

SECTION 11. Ord. 1971 §4 (Exh. C) (part), 2013; Ord. 1941 §5, 2010; Ord. 1815 §1(part), Exh. B(part), 2000 amended in part to read:

See Exhibit "C" for revised Chapter 17.66.

SECTION 12. Ord. 1815 §1(part), Exh. C(part), 2000 is amended in part to read:

### **17.67.010 Purpose.**

9 – Ordinance No. 2100; (Council Meeting 6/8/23)

The purpose of the Central Point ~~TOD district and TOD corridor~~ **Overlay** design standards is to complement and support efficient and sustainable land development, to reduce auto reliance and to increase transit use as required by the Oregon Transportation Planning Rule.

SECTION 13. Ord. 1815 §1(part), Exh. C(part), 2000 is amended in part to read:

### **17.67.020 Area of application.**

These regulations apply to the Central Point ~~TOD district and TOD corridor~~ **Overlay**. The boundaries of the ~~district and corridor~~ **TOD Overlay** are shown on the official city zoning map.

SECTION 14. Ord. 2034 §12, 2017; Ord. 1971 §4 (Exh. C) (part), 2013; Ord. 1815 §1(part), Exh. C(part), 2000, regarding CPMC 17.67.040 Subsections A.1 through A.8, are amended in part to read:

### **17.67.040 Circulation and access standards.**

#### A. Public Street Standards.

1. Except for specific transportation facilities identified in a ~~TOD district or corridor~~ **Overlay** master plan, the street dimensional standards set forth in the City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details for Public Works Construction, Section 300, Street Construction shall apply for all development located within the ~~TOD district~~ **Overlay** and for development within the ~~TOD corridor~~ which is approved according to the provisions in Section [17.65.020](#) and Chapter [17.66](#).
2. Block perimeters shall not exceed two thousand feet measured along the public street right-of-way.
3. Block lengths for public streets shall not exceed six hundred feet between through streets, measured along street right-of-way.
4. Public alleys or major off-street bike/pedestrian pathways, designed as provided in this chapter, may be used to meet the block length or perimeter standards of this section.
5. The standards for block perimeters and lengths shall be modified to the minimum extent necessary based on findings that strict compliance with the standards is not reasonably practicable or appropriate due to:
  - a. Topographic constraints;

b. Existing development patterns on abutting property which preclude the logical connection of streets or accessways;

c. Railroads;

d. Traffic safety concerns;

e. Functional and operational needs to create a large building; or

f. Protection of significant natural resources.

6. All utility lines shall be underground but utility vault access lids may be located in the sidewalk area.

7. Connections shall be provided between new streets in a **TOD district or corridor Overlay** and existing local and minor collector streets.

8. Pedestrian/Bike Accessways Within Public Street Right-of-Way.

a. Except for specific accessway facilities identified in a **TOD district or corridor Overlay** master plan, the following accessway dimensional standards set forth in the City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details for Public Works Construction, Section 300, Street Construction shall apply for any development located within the **TOD district Overlay** and for development within the ~~TOD corridor~~ which is approved according to the provisions in Section [17.65.020](#) and Chapter [17.66](#).

b. In transit station areas, one or more pedestrian-scaled amenities shall be required with every one hundred square feet of the sidewalk area, including but not limited to:

i. Street furniture;

ii. Plantings;

iii. Distinctive paving;

iv. Drinking fountains; and

v. Sculpture.

c. Sidewalks adjacent to undeveloped parcels may be temporary.

d. Public street, driveway, loading area, and surface parking lot crossings shall be clearly marked with textured accent paving or painted stripes.

e. The different zones of a sidewalk should be articulated using special paving or concrete scoring.

SECTION 15. Ord. 2028 §4, 2016; Ord. 1971 §4 (Exh. C) (part), 2013; Ord. 1815 §1(part), Exh. C(part), 2000, regarding CPMC 17.67.050 Subsections A, I, and M, are amended in part to read:

## **17.67.050 Site design standards.**

The following standards and criteria shall be addressed in the master plan, land division, and/or site plan review process:

### A. Adjacent Off-Site Structures and Uses.

1. All off-site structures, including septic systems, drain fields, and domestic wells (within one hundred feet) shall be identified and addressed in the master plan, land division, or site plan process in a manner that preserves and enhances the livability and future development needs of off-site structures and uses consistent with the purpose of the TOD district **Overlay** and as necessary to improve the overall relationship of a development or an individual building to the surrounding context.

2. Specific infrastructure facilities identified on site in the master plan, land division, and/or site plan shall comply with the underground utility standards set forth in the City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details for Public Works Construction, Section 400, Storm Water Sewer System and, more specifically, Section 420.10.02, Ground Water Control Plan, in order to safeguard the water resources of adjacent uses.

\*\*\*

### I. Transitions in Density.

1. Higher density, attached dwelling developments shall minimize impact on adjacent existing lower density, single-family dwelling neighborhoods by adjusting height, massing and materials and/or by providing adequate buffer strips with vegetative screens.

2. Adequate buffer strips with vegetative screens shall be placed to mitigate the impact of higher density development on adjacent lower density development.

3. New residential buildings within fifty feet of existing low density residential development shall be no higher than thirty-five feet and shall be limited to single-family detached or attached units, duplexes, triplexes or fourplexes.

4. New commercial buildings within fifty feet of existing low density residential development shall be no higher than forty-five feet.

5. Dwelling types in a **TOD district or corridor Overlay** shall be mixed to encourage interaction among people of varying backgrounds and income levels.

6. Zoning changes should occur midblock, not at the street centerline, to ensure that compatible building types face along streets and within neighborhoods. When dissimilar building types face each other across the street because the zoning change is at the street centerline or more infill housing is desired (for instance, duplexes across the street from single dwellings), design shall ensure similarity in massing, setback, and character.

7. Density should be increased incrementally, to buffer existing neighborhoods from incompatible building types or densities. Sequence density, generally, as follows: large lot single dwelling, small lot single dwelling, duplex, townhomes, courtyard multifamily apartments, large multifamily apartments, and mixed use buildings.

\*\*\*

#### M. Signs.

1. The provisions of this section are to be used in conjunction with the city sign regulations in the Central Point Sign Code, Chapter 15.24. The sign requirements in Chapter 15.24 shall govern in the **TOD district and corridor Overlay** with the exception of the following:

a. The types of signs permitted shall be limited only to those signs described in this chapter.

b. Decorative exterior murals are allowed and are subject to review and criteria by planning commission or architectural review committee appointed by city council.

c. Signs that use images and icons to identify store uses and products are encouraged.

d. Projecting signs located to address the pedestrian are encouraged.

2. Sign Requirements. Signs within the **TOD district or corridor Overlay** shall comply with the standards in Table 17.67.050(1):

SECTION 16. Ord. 1971 §4 (Exh. C) (part), 2013; Ord. 1815 §1(part), Exh. C(part), 2000, regarding CPMC 17.67.060 Subsections A through C, are amended in part to read:

## **17.67.060 Public parks and open space design standards.**

A. General. Parks and open spaces shall be provided in the **TOD** ~~districts and TOD corridors~~ **Overlay** and shall be designed to accommodate a variety of activities ranging from active play to passive contemplation for all ages and accessibility.

B. Parks and Open Space Location.

1. Parks and open spaces shall be located within walking distance of all those living, working, and shopping in **the TOD districts Overlay**.
2. Parks and open spaces shall be easily and safely accessed by pedestrians and bicyclists.
3. For security purposes, parks and open spaces shall be visible from nearby residences, stores or offices.
4. Parks and open space shall be available for both passive and active use by people of all ages.
5. Parks and open space in predominantly residential neighborhoods shall be located so that windows from the living areas (kitchens, family rooms, living rooms but not bedrooms or bathrooms) of a minimum of four residences face onto it.

C. Parks and Open Space Amount and Size.

1. Common open spaces will vary in size depending on their function and location.
2. The total amount of common open space provided in a **TOD district or corridor Overlay** shall be adequate to meet the needs of those projected (at the time of build out) to live, work, shop, and recreate there.
3. All **TOD** projects requiring master plans shall be required to reserve, improve and/or establish parks and open space which, excluding schools and civic plazas, meet or exceed the following requirements:
  - a. For single-family detached and attached residences, including duplex units, townhouses and row houses: four hundred square feet for each dwelling.

b. For multifamily residences, including multistory apartments, garden apartments, and senior housing: six hundred square feet for each dwelling.

c. Nonresidential development: at least ten percent of the development's site area.

SECTION 17. Ord. 2047 §2, 2018; Ord. 2034 §13, 2017; Ord. 1971 §4 (Exh. C) (part), 2013; Ord. 1815 §1(part), Exh. C(part), 2000, regarding CPMC 17.67.070 Subsection D.1.g, are amended in part to read:

### **17.67.070 Building design standards**

D. Building Facades.

1. General.

g. All buildings, of any type, constructed within any **TOD** district or corridor **Overlay** shall be constructed with exterior building materials and finishes that are of high quality to convey permanence and durability.

SECTION 18. Ord. 1615 §76, 1989 is amended in part to read:

### **17.68.130 Residential conditions.**

Planned residential developments may have the following conditions attached:

A. Prior to the issuance of the certificate of occupancy, recreational facilities shall be installed as may be required by the planning commission;

B. Pedestrian movement upon the site shall be encouraged and separated from vehicular traffic through a comprehensive system of paved pathways;

C. Development for residential and accessory uses shall be at a specified maximum density;

~~D. Off-street parking shall be provided at the ratio specified in Section 17.64.040 and for visitor parking, one space per four units; and for recreational vehicle storage, one space per seven units. Vehicles shall park only in designated areas or stalls. There shall be no parking within turnaround areas or main driveways. Visitors' parking shall be clearly identified and maintained;~~

E. Boats, trailers, campers and similar recreational vehicles may be stored in designated areas only. The permanency, security and visual screening of a recreational vehicle storage area shall be assured by the construction of permanent walls not less than seven feet in height;

F "Tot lots" shall be provided in addition to adult recreational facilities for the year-round use of children residing on the site. The planning commission shall specify the number of tot lots required and the type of construction for play equipment;

G. If units in the project are rented, the owner of the subject property shall provide for the regular and continuing maintenance of all structures, open space and landscaped areas and all off-street parking and maneuvering areas. An agreement guaranteeing such continuing maintenance and giving lien rights to the city in the event of lack of said maintenance shall be submitted to the city attorney for his review and approval prior to the issuance of any building permits;

H. If units are sold individually (condominiums), a homeowners' association shall be established for the purpose of permanently maintaining all of the subject property, including common areas and individual units, buildings and structures, and a homeowners' association agreement guaranteeing such a maintenance by individual owners and providing for lien rights and reimbursement to the city for any costs incurred thereby shall be submitted to the city attorney prior to the issuance of any building permits;

I. A bicycle path system shall be provided that is either integrated into the pedestrian sidewalk system or designed as a separate system and appropriately marked and signed. The system should include bicycle access to all dwelling units, and such facilities should connect to the city's bicycle system plan. Bicycle racks shall be provided for residents and visitors and other features that may be required.

SECTION 19. Ord. 1946 (part), 2011; Ord. 1745 §1, 1996; Ord. 1730 §1, 1995; Ord. 1717, 1995; Ord. 1702 §3, §4 1994; Ord. 1685 §65, 1993; Ord. 1684 §63, §67, §69 1993; Ord. 1615 §§52, 54, 1989; Ord. 1436 §2(part), 1981 are amended in part to read:

See Exhibit "D" for revisions to Chapter 17.72.

SECTION 20. Ord. 1946 (part), 2011, regarding CPMC 17.75.031 Subsection E, is amended in part to read:

### **17.75.031 General connectivity, circulation and access standards.**

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. **Trees shall be planted to provide a 50% canopy cover over the accessway.**



SECTION 21. Ord. 1946 (part), 2011, Table 17.75.01, is amended in part to read:

**17.75.035 Commercial site design and development standards.**

A. Commercial Site Design Standards. The lot area, dimension, set back, and coverage requirements for development within commercial districts shall be subject to the standards set forth in Table 17.75.01.

**TABLE 17.75.01 COMMERCIAL SITE DEVELOPMENT STANDARDS**

	Commercial District			
	C-N	C-2(M)	C-4	C-5
Lot Area	N.A.	N.A.	N.A.	N.A.
Lot Width	N.A.	N.A.	N.A.	50 ft.
Lot Depth	N.A.	N.A.	N.A.	100 ft.
<b>Setbacks</b>				
Front Yard	N.A.	15 ft.	N.A.	N.A.
Side Yard	N.A.	5 ft.	N.A. <sup>1</sup>	N.A. <sup>1</sup>
Rear Yard	N.A.	N.A.	N.A. <sup>2,3</sup>	N.A. <sup>2,3</sup>
Lot Coverage	50%	50%	N.A.	N.A.
Bldg. Height	35 ft.	35 ft.	60 ft.	35 ft.
1. Unless otherwise demonstrated at time of site plan and architectural approval wherever the side or rear yard property lines of a commercially zoned parcel abut parcels in a residential district, a solid wall or fence, vine-covered open fence or compact evergreen hedge six feet in height shall be located on that property line and continuously maintained to ensure effective buffering and visual screening between the two land uses.				
2. Where abutting a residential zone the rear yard setbacks shall be a minimum of ten feet.				
3. Except when the rear property line abuts any residential district or any unincorporated lands, the rear yard shall be increased by one-half foot for each foot of building height in excess of twenty feet.				

SECTION 22. Ord. 2034 §§14, (2017), CPMC 17.75.039 Off-street parking design and development standards Subsection E.2 is amended in part to read:

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 p~~ 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.

SECTION 23. Ord. 1946 (part), 2011, CPMC 17.75.039 Off-street parking design and development standards, Subsections F, G and H, are amended in part to read:

F. ~~Limitation on Use of Parking Areas. 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 p~~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.

G. **Parking/Loading Facility and Street Frontage** 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.

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.~~ **Location of interior landscape islands may be consolidated subject to the Site Plan and Architectural Review approval as necessary to address site constraints or to provide continuous canopy coverage per Subsection (I).**

The **minimum** number of trees required in the interior landscape area shall be dependent upon the **size and** location of the parking lot in relation to the building and public right-of-way. **Parking lots greater than or equal to ½ acre shall be subject to CPMC 17.75.039(I) requirements for large parking lot design and mitigation. Parking lots less than ½ acre in size shall provide trees at the following minimum ratios:**

- a. Where the parking lot is located between the building and the public right-of-way, one tree for every four spaces;
  - b. Where the parking lot is located to the side of the building and partially abuts the public right-of-way, one tree for every six spaces;
  - c. Where the parking lot is located behind the building and is not visible from the public right-of-way, one tree for every eight spaces.
3. Bioswales. The use of bioswales within parking lots is encouraged and may be located within landscape areas subject to site plan and architectural review. The tree planting standards may be reduced in areas dedicated to bioswales subject to site plan and architectural review.

H. Bicycle Parking. The amount of bicycle parking shall be provided in accordance with Section [17.64.05](#) and constructed in accordance with the following standards:

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

2. Bicycle Parking Design Standards. All bicycle parking and maneuvering areas shall be constructed to the following minimum design standards:

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

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

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

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

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

~~3. Exceptions to Bicycle Parking. The 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.~~

SECTION 24. Ord. 1946 (part), 2011, CPMC 17.75.039 Off-street parking design and development standards, is hereby amended to add a new subsection I:

**I. *Large Parking Lot Design.* Large surface parking lots defined as net surface parking areas equal to or greater than one-half acre (21,780 square feet) shall comply with the following. See subsection (B) of this section for parking stall dimensions.**

**1. *Large Parking Lot Design Standards.* Developments must provide the following design features:**

**(a) Pedestrian facilities between building entrances and pedestrian facilities in the adjacent public right-of-way; and,**

**(b) Buildings built-up to pedestrian facilities.**

**(c) Trees planted along parking lot driveways, per Section 12.36.100(C), or a minimum of 30 percent tree canopy coverage over parking areas. The tree spacing and species planted must be designed to maintain a continuous canopy, except when interrupted by driveways, drive aisles and other site**

design considerations. Developments are not required to provide trees along drive aisles and other site design considerations.

(2) **Large Parking Lot Mitigation.** Lots equal to or greater than one half acre shall install one of the following:

(a) Install solar panels with a generation capacity of at least 0.5 kilowatt per new surface parking space anywhere on the property.

(b) Install landscaping for a continuous tree canopy covering at least 40 percent of the new parking lot area at maturity, but no more than 15 years after planting.

(c) Any tree canopy plan, including any trees planted along parking lot driveways, shall be created in coordination with the local electric utility, including pre-design, design, building, and maintenance phases. The submitted site plan shall demonstrate the following:

i. Conformity with the Central Point approved street tree list;

ii. A shade study indicating the percent of surface pavement shaded at maturity;

iii. Soils and irrigation installed so as to maximize health and chances for survival, including removal of construction debris and use of structural soils if necessary.

(3) Public buildings may use green technologies in construction to comply with OAR [330-135-0010](#).


SECTION 25. 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 another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 26. 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 6 day of June 2023.

  
\_\_\_\_\_  
Mayor Hank Williams

ATTEST:

  
\_\_\_\_\_  
City Recorder