

ORDINANCE NO. 2014

AN ORDINANCE AMENDING CENTRAL POINT MUNICIPAL CODE CHAPTER 17 ZONING SECTIONS TO CORRECT ERRORS AND INCONSISTENCIES.

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. On July 7, 2015, the Central Point Planning Commission recommended approval of code amendments to CPMC Chapters 17.08; Chapter 17.24; Chapter 17.28; Chapter 17.32; Chapter 17.37; Chapter 17.44; Chapter 17.46; Chapter 17.57; Chapter 17.60; Chapter 17.65 and Chapter 17.75. (zoning) .
- D. On August 13, 2015, the City of Central Point City Council held a property advertised public hearing; reviewed the Staff Report and findings; heard testimony and comments, and deliberated on approval of the Municipal Code Amendment.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Amendments to Sections 17.08 Definitions adds language to the zoning code that is currently being used but not listed.

TITLE 17 ZONING
Chapter 17.08 DEFINITIONS

17.08.010 Definitions, specific

17.08.410 TOD District and corridor Definitions and Uses

17.08.010 Definitions, specific.

“NAICS” means the North American Industry Classification System (NAICS), the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

“Senior Housing” means housing designed and constructed to accommodate the needs of seniors and includes the following as defined herein: independent living facility, personal care facility, and assisted living facility. Senior housing does not include nursing facilities.

“Independent Living” means a multi-unit senior housing development, also known as congregate housing that provides supportive services such as meals (common dining), housekeeping, social activities, and transportation.

“Assisted Living” means a state-licensed program offered at senior residential facilities with services that include meals, laundry, housekeeping, medication reminders, and assistance with Activities of Daily Living (ADLs) and Instrumental Activities of Daily Living (IADLs).

“Personal Care Facility” means a state licensed facility that specializes in caring for the memory impaired resident.

“Nursing Facility” means a facility licensed by the state that provides 24-hour nursing care, room and board, and activities for convalescent residents and those with chronic and/or long-term illnesses. The availability of regular medical supervision and rehabilitation therapy is required. This alternative may be referred to as a Nursing or Convalescent Home.

17.08.410 TOD district and corridor Definitions and uses.

“Senior Housing” means housing designed and constructed to accommodate the needs of seniors and includes the following as defined in Section 187.08 Definitions; independent living, senior apartments, and assisted living facilities. Senior housing does not include nursing facilities.

SECTION 2. Amendments to Title 17.24.020 R-2 District clarifies language to the zoning code regarding permitted.

CHAPTER 17.24
R-2, RESIDENTIAL TWO-FAMILY DISTRICT

17.24.020 Permitted uses.

17.24.020 Permitted Uses

The following uses and their accessory uses are permitted in the R-2 district:

Residential. The following residential uses are permitted subject to compliance with all the code requirements such as lot coverage, setbacks, etc.the density standards in Section 17.24.055:

- A. ~~One-s~~**One-s**Single-family **detached** dwellings;
- B. Single-family manufactured home, as defined in Section 17.08.010, and subject to the following conditions:
 - 1. The manufactured home shall be multi-sectional and enclose a space of not less than one thousand square feet,
 - 2. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than twelve inches above grade,
 - 3. -The manufactured home shall have a pitched roof, with a minimum slope of three feet in height for each twelve feet in width,
 - 4. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within Central Point or which is comparable to the predominant materials used on surrounding dwellings as determined by the city,
 - 5. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards *which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010,*
 - 6. The manufactured home shall have a garage or carport constructed of like material. The city may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of dwellings in the immediately surrounding area,
 - 4-7. In addition to the foregoing, a manufactured home and the lot upon which it is sited shall comply with any and all development standards,

architectural requirements and minimum size requirements with which conventional single-family residential dwellings on the same lot would be required to comply.

C. ~~One two-family dwelling~~ ~~One two-family dwelling~~ **Duplex and single-family attached dwellings**~~One two-family dwelling~~;

SECTION 3. Amendments to Title 17.28.020 R-3 District clarifies language to the zoning code regarding permitted.

CHAPTER 17.28
R-3, RESIDENTIAL MULTIPLE-FAMILY DISTRICT

17.28.020 Permitted uses.

17.28.020 Permitted Uses. The following uses and their accessory uses are permitted in the R-3 district:

~~A. Single family dwellings;~~

~~B. Single family manufactured home, as defined in Section 17.08.010, and subject to the following conditions:~~

- ~~1. The manufactured home shall be multi-sectional and enclose a space of not less than one thousand square feet;~~
- ~~2. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than twelve inches above grade;~~
- ~~3. The manufactured home shall have a pitched roof, with a minimum slope of three feet in height for each twelve feet in width;~~
- ~~4. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within Central Point or which is comparable to the predominant materials used on surrounding dwellings as determined by the city;~~

~~5. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single family dwellings constructed under the state building code as defined in ORS 455.010,~~

~~6. The manufactured home shall have a garage or carport constructed of like material. The city may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of dwellings in the immediately surrounding area,~~

~~7. In addition to the foregoing, a manufactured home and the lot upon which it is sited shall comply with any and all development standards, architectural requirements and minimum size requirements with which conventional single family residential dwellings on the same lot would be required to comply; B. Single family manufactured home, as defined in Section 17.08.010, and subject to the following conditions:~~

~~1. The manufactured home shall be multi-sectional and enclose a space of not less than one thousand square feet,~~

~~2. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than twelve inches above grade,~~

~~3. The manufactured home shall have a pitched roof, with a minimum slope of three feet in height for each twelve feet in width,~~

~~4. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within Central Point or which is comparable to the predominant materials used on surrounding dwellings as determined by the city,~~

~~5. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single family dwellings constructed under the state building code as defined in ORS 455.010,~~

~~6. The manufactured home shall have a garage or carport constructed of like material. The city may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of dwellings in the immediately surrounding area;~~

~~7. In addition to the foregoing, a manufactured home and the lot upon which it is sited shall comply with any and all development standards, architectural requirements and minimum size requirements with which conventional single-family residential dwellings on the same lot would be required to comply;~~

~~G~~ A. Duplex and single-family attached dwellings;

~~D~~ B. Multiple-family dwellings and dwelling groups;

~~E~~ C. Boardinghouses and rooming houses;

~~F~~ D. Public schools, parochial schools, kindergartens, but not including business, dance, music, art, trade, technical or similar schools;

~~G~~ E. Public parks and recreational facilities;

~~H~~ F. Churches and similar religious institutions;

~~I~~ G. Developer's project office and sales office including mobile homes and trailers adapted to that purpose during construction of the project only;

~~J~~ H. Residential facilities, as that term is defined in Oregon Revised Statutes 197.660(1); provided that the city may require an applicant proposing to site a residential facility to supply the city with a copy of the entire application and supporting documentation for state licensing of the facility, except for information which is exempt from public disclosure under ORS 192.496 to 192.530;

~~K~~ I. Residential homes; and

~~L~~ K. Other uses not specified 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 R-2 district as provided in Section 17.60.140.

SECTION 4. Amendments to Title 17.32.020 C-N District clarifies language to the zoning code regarding permitted.

CHAPTER 17.28
R-3, RESIDENTIAL MULTIPLE-FAMILY DISTRICT

17.28.020 Permitted uses.

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 ~~other than those related to health care other than those related to health care~~;
- B. Retail stores, shops and offices supplying commodities or performing services other than vehicle and fuel sales;
- C. Eating and drinking establishments that do not possess a liquor license;
- 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. (Ord. 1881 (part), 2006; Ord. 1709 §1(part), 1994).
- 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.**

SECTION 5. Amendments to Title 17.37.020 C-2(M), Commercial –Medical District clarifies language to the zoning code regarding permitted.

CHAPTER 17.37
C-2 (M), COMMERCIAL-MEDICAL DISTRICT

17.37.020 Permitted uses.

17.37.020 Permitted uses.

The following uses are permitted in the C-2(M) district:

A. Professional and financial **when such uses are in conjunction with health care facilities located in the area, such as**, ~~including, including:~~

1. Hospitals;
2. Health care facilities required to be licensed by the state of Oregon;
3. Professional medical offices; and
4. Medical services, clinics and laboratories.

B. Personal services when the primary use is in conjunction with related health care facilities in the zone, **includingsuch as** ~~including:~~

1. Barber and beauty shops;
2. Counseling services; and
3. Day care centers.

C. Retail outlets, when such uses are in conjunction with health care facilities located in the area, **includingsuch as** ~~including:~~

1. Drugstore;
2. Health food;
3. Gifts, notions and variety;
4. Sit-down restaurant;
5. Delicatessen, pastry, confectionery, bakery;

- 6. Jewelry; and
- 7. Books and stationery.

D. Residential purposes, when developed to the standards of the TOD-LMR, low mix residential district as set forth in Chapter 17.65.

E. 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.

SECTION 6. Amendments to Title 17.44.020 C-4 Tourist and Office-Professional District clarifies language to the zoning code regarding permitted.

CHAPTER 17.44
C-4 TOURIST AND OFFICE-PROFESSIONAL DISTRICT

17.44.020 Permitted uses.

17.44.020 Permitted uses.

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

A. General professional and financial offices, including, but not limited to:

- 1. Banks and similar financial institutions;
- 2. Accounting and bookkeeping offices;
- 3. Real estate offices;
- 4. Insurance company offices;
- 5. Legal services;
- 6. Architectural and engineering services;
- 7. Professional photo or art studios;
- 8. Counseling services;
- 9. Corporate or government offices;

10. Medical/dental offices;

11. Veterinary Clinics

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 **including but not limited to** the following uses:

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;
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.

SECTION 7. Amendments to Title 17.46.020 C-5, Thoroughfare Commercial District clarifies language to the zoning code regarding permitted.

CHAPTER 17.46
C-5, THOROUGHFARE COMMERCIAL DISTRICT

17.46.020 Permitted uses.

17.46.020 Permitted uses.

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

A. Professional and financial, including **but not limited to**:

1. Banks and similar financial institutions,
2. Real estate, insurance, and similar offices,
3. Contractor's offices,
4. Medical services, clinics and laboratories;

B. Personal services, including **but not limited to**:

1. Self-service laundry and laundry pickup stations,
2. Photo processing pickup stations,
3. Photo processing laboratories,
4. Small appliance service,
5. Printing, lithography and publishing,
6. Locksmith,
7. Taxicab dispatch office,
8. Ambulance/emergency services,
9. Art and music schools,
10. Business/vocational schools,
11. Physical fitness/conditioning center, martial arts schools,
12. Carwash,

13. Automobile and truck service stations and repair shops,
14. Auto and furniture upholstery shops,
15. Veterinary clinics (within enclosed structure),
16. Barber shops,
17. Beauty salons,
18. Manicure salons;

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;

D. Tourist/recreational-oriented uses, including **but not limited to**:

1. Hotel and motel,
2. Walk-in theater (fully enclosed),
3. Bowling alley,
4. Ice and roller skating rinks,
5. Dancehalls (nonalcoholic),
6. Billiard/pool hall,
7. Miniature golf,
8. Club and organizational meeting facilities;

E. Commercial parking lots:

1. Recreational vehicle storage lots;

F. Light fabrication, including ~~including~~ **including such as**:

1. Light fabrication, assembly, packaging, mail-order sales and wholesale sales of consumer goods, and

2. Light fabrication and repair shops such as blacksmith, cabinet, electric motor, heating, machine, sheetmetal, signs, stone monuments, upholstery and welding;

G. 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 within the intent of the C-5 district.

SECTION 8. Amendments to Title 17.57.020 General regulations clarifies language to the zoning code regarding fences.

CHAPTER 17.57 FENCES

17.57.020 General regulations.

17.57.020 General regulations.

A. Fence Permits. A fence permit is required for all fences constructed within a public right-of-way, per Section 12.20.020. Fences in the floodplain are regulated in accordance with the provisions established in Section 8.24.260(A).

B. Building Permits. A building permit for the following structures shall be accompanied by a permit fee and a plan review fee in an amount based on valuation per the building department fee schedule as adopted by the city:

1. Barriers around swimming pools, as required by the 2003 State of Oregon Dwelling Specialty Code, Chapter 41 and Appendix G; and the 1998 Oregon Structural Specialty Code, Appendix Chapter 4;

~~2. Fences over six feet tall~~ ~~32. Masonry walls;~~

~~2~~ ~~34.~~ Retaining walls over four feet in height measured from the bottom of the footing to the top of the wall; and

~~3~~ ~~45.~~ Retaining walls, any height, supporting a surcharge.

C. Setbacks and Design Criteria.

**Table 17.57.01
Fence Regulations**

	R- L	R- 1	R- 2	R- 3	C- N	C- 2(M)	C- 4	C- 5	M- 1	M- 2
Maximum Fence Height	6'	6'	6'	6'	6'	6'	6'	6'	6'	6'
Fence Permit Required	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1	a, a-1
Front Yard Setback For 6' Fence	20' b	20' b	20' b	20' b	20' b	20' b	20' b	20' b	20' b	20' b
Side Yard Setback	0'	0'	0'	0'	0'	0'	0'	0'	0'	0'
Rear Yard Setback	0'	0'	0'	0'	0'	0'	0'	0'	0'	0'
Corner Lot	10' c	10' c	10' c	10' c	10' c	10' c	10' c	10' c	10' c	10' c
Masonry Walls, Retaining Walls, Fences Over 6' in Height	e	e	e	e	e	e	e	e	e	e
Chain Link Fencing, Space Board Type Fencing etc. Chain Link Fencing, Space Board Type Fencing, etc. Fences in Floodplain or drainage easements	e	e	e	e	e	e	e	e	e	e
Setbacks for Gates	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'
Variances	f	f	f	f	f	f	f	f	f	f

a: ~~An encroachment fence~~ fence permit is required ~~if for~~ if fences is to be is to be constructed in ~~the~~ public right-of-way.

a-1: A building permit is required for fencing around swimming pools, ~~fences over six feet in height~~ fences over six feet in height, masonry walls and retaining walls.

*b: Forty-two-inch-high maximum fences **height** allowed within front **yard** setback area.

*c: No fencing will conflict with the sight distance requirements set by **Section 17.60.110 and 17.60**.~~the public works department~~~~the public works department~~.

*d: Fence height will be measured from the finished grade on the side nearest the street.

e: See Section 8.24.260(A) for specific fence construction standards for fences located in or adjacent to a recognized floodplain. **No fence shall impede or divert the flow of water through any drainage easement unless it can be determined that the fence will not adversely impact any property owner and will not adversely impact the overall drainage system.**

f: Requests for variances ~~variances exceptions to the standards in Table 17.57.01~~ shall be made by application ~~on such form as designed by the city manager and will be reviewed in~~ ~~on such form as designated by the city manager and will be reviewed in~~ accordance with Chapter ~~17.05~~ ~~17.05~~ **17.13**.

SECTION 9. Amendments to Title 17.60.140 General Regulations for similar uses is clarified the zoning code.

CHAPTER 17.60 GENERAL REGULATIONS

17.60.140 Authorization for similar uses.

17.60.140 Authorization for similar uses.

The planning commission may rule that a use, not specifically named in the examples of allowed uses of a district shall be included among the allowed uses, if the use is of the same general type and is similar to the permitted uses.

A. The planning commission in ruling upon similar uses shall find as follows:

1. That the use is closely related to listed uses **in the NAICS** and can be shown to exist compatibly with those uses;

~~2. That the use was not anticipated or known to exist on the effective date of the ordinance codified in this title, either because it involves products, services or activities not available in the community at that time or the use involves new products, services or activities that are nonetheless similar to permitted uses in size, traffic, impact, appearance and other attributes;~~

~~2. That the use was not anticipated or known to exist on the effective date of the ordinance codified in this title, either because it involves products, services or activities not available in the community at that time or the use involves new products, services or activities that are nonetheless similar to permitted uses in size, traffic, impact, appearance and other attributes;~~

~~3. That the use is treated under local, state or national codes or rules in the same manner as permitted uses. Except that these codes or rules shall not include land use or zoning regulations; and;~~

~~4. That the use is consistent with the purpose of the district and the comprehensive plan map and policies.~~

B. The planning commission may rule upon similar uses for one or more districts either when a similar use is proposed or at the time of amendments to the zoning text or zoning map. The city shall maintain a record of rulings on similar uses.

SECTION 10. Amendments to Title 17.65 TOD Districts Amends Tables in the TOD District zoning code.

CHAPTER 17.65 TOD DISTRICTS AND CORRIDORS

17.65.050 Zoning regulations – TOD Districts.

17.65.060 – TOD Corridor, Table 4

17.65.050 Zoning Regulations – TOD Districts

Table 1
TOD District Land Uses

Use Categories	Zoning Districts						
	LMR	MMR	HMR	EC	GC	C	OS
Residential							
Dwelling, Single-Family							
Large and standard lot	P	L5	N	N	N	N	N
Zero lot line, detached	P	P	N	N	N	N	N
Attached row houses	P	P	P	C	N	N	N
Dwelling, Multifamily							
Multiplex, apartment	P	P	P	L1	L1	N	N
Congregate (Congregate (sSenior)) housing	L6	P	P	L1	L1	N	N
Accessory Units	P1	P1	P1	C	N	N	N
Boarding/Rooming House	N	C	C	N	N	N	N
Family Care							
Family day care	P	P	P	N	N	N	N
Day care group home	C	C	P	N	N	N	N
Adult day care	C	C	C	N	N	N	N
Home Occupation	P	P	P	P	N	N	N
Residential Facility	P	P	P	N	N	N	N
Residential Home	P	P	P	N	N	N	N
Commercial							
Entertainment	N	N	C	P	P	N	N
Professional Office	C	L3	L3, L4	P	P	P	N
Retail Sales and Service							

Table 1
TOD District Land Uses

Use Categories	Zoning Districts						
	LMR	MMR	HMR	EC	GC	C	OS
Sales-oriented	C	L3	L3	P	P	N	N
Personal service-oriented	C	G GL3	G GL3,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
Industrial							
Manufacturing	N	N	N	N	P	N	N
Industrial Service							
Light	N	N	N	N	P	N	N
Heavy	N	N	N	N	C	N	N
Wholesale Sales	N	N	N	N	P	N	N
Civic							
Community Services							
Hospital	C	C	C	C	N	C	N
Public facilities	C	C	C	C	C	C	N
Religious assembly	C	C	C	C	N	P	N
Schools	C	C	C	N	N	P	L2
Utilities	C	C	C	C	C	C	C

Table 1
TOD District Land Uses

Use Categories	Zoning Districts						
	LMR	MMR	HMR	EC	GC	C	OS
Open Space							
Parks and Open Space	P	P	P	P	P	P	P

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 within with a with multifamily dwellings building building above ground floor.** Maximum floor area of ~~of~~ **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 ~~congregate housing~~ **congregate housing senior housing** project on abutting property under the same ownership within the MMR or HMR district.

17.65.060 – TOD Corridor, Table 4

Table 4
TOD Corridor Land Uses

Use Categories	Zoning Districts			
	LMR	MMR	EC	GC
Residential				
Dwelling, Single-Family				
Large and standard lot	P	L4	N	N
Zero lot line, detached	P	P	N	N
Attached row houses	P	P	N	N
Dwelling, Multifamily				
Multiplex, apartment	P	P	L1	L1
Congregate (senior) housing	L5	P	L1	N
Accessory Units	P1	P1	C	N
Boarding/Rooming House	N	C	N	N
Family Care				
Family day care	P	P	N	N
Day care group home	C	C	N	N
Adult day care	C	C	N	N
Home Occupation	P	P	P	N
Residential Facility	P	P	N	N
Residential Home	P	P	N	N
Commercial				
Entertainment	N	N	P	P
Professional Office	C	L3	P	P
Retail Sales and Service				
Sales-oriented	C	L3	P	P
Personal service-oriented	C	G L3	P	P

Table 4
TOD Corridor Land Uses

Use Categories	Zoning Districts			
	LMR	MMR	EC	GC
Repair-oriented	N	N	P	P
Drive-through facilities	N	N	P	P
Quick vehicle service	N	N	P	P
Vehicle sales, rental and repair	N	N	N	P
Tourist Accommodations				
Motel/hotel	N	N	P	P
Bed and breakfast inn	C	C	P	P
Industrial				
Manufacturing	N	N	N	P
Industrial Service				
Light	N	N	N	P
Heavy	N	N	N	C
Wholesale Sales	N	N	N	P
Civic				
Community Services	C	C	N	N
Hospital	C	C	C	N
Public Facilities	C	C	C	C
Religious Assembly	C	C	C	N
Schools	C	C	N	N
Utilities	C	C	C	C
Open Space				
Parks and Open Space	P	P	P	P

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 business with in a multifamily dwellings above ground floor building.** Maximum floor area **for commercial uses not to exceed** of ten thousand square feet per tenant.

L4--Only permitted as a transition between adjacent lower density zones and/or when adjacent to an environmentally sensitive area.

L5--Permitted only when part of an existing or proposed **seniorcongregate** congregate housing project on abutting property under the same ownership within the MMR or HMR district.

SECTION 11. Amendments to Title 17.75 Design and Development Standards in the TOD District zoning code is amended as follows.

CHAPTER 17.75
DESIGN AND DEVELOPMENT STANDARDS

17.75.039 Off-street parking design and development standards.

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.

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;

Length - Shall reduce column "C" in the table 17.75.02 by no more than three (3) feet.

SECTION 12. Amendments to Title 17.76 Conditional Use Permits is amended to remove the required fee which is set by resolution:

CHAPTER 17.76
CONDITIONAL USE PERMITS

17.76.020 Information required.

17.76.020 Information required

An Application for a conditional use permit shall include the following information:

- A. Name and address of the applicant;
- B. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
- C. Address and legal description or the assessor's parcel number of the property;
- D. An accurate scale drawing of the site and improvements proposed. The drawing must be adequate to enable the planning commission to determine the compliance of the proposal with the requirements of this title;
- E. A statement indicating the precise manner of compliance with each of the applicable provisions of this title together with any other data pertinent to the findings prerequisite to the granting of a use permit.

~~The application shall be accompanied by a fee of one hundred dollars.~~

SECTION 13. 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 14. 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 _____ day of _____, 2015.

Mayor Hank Williams

ATTEST:

City Recorder

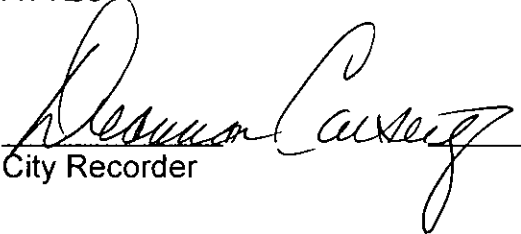
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Passed by the Council and signed by me in authentication of its passage this 27th day of August 2015.


Mayor Hank Williams

ATTEST:

City Recorder