

**City of Central Point
Planning Commission Minutes
January 6, 2015**

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

II. ROLL CALL

Commissioners Chuck Piland, Tom Van Voorhees, Tim Schmeusser, Craig Nelson and Kay Harrison were present. Also in attendance were: Tom Humphrey, Community Development Director, Don Burt, Planning Manager; Stephanie Holtey, Community Planner and Karin Skelton, Planning Secretary.

III. CORRESPONDENCE

None

IV. MINUTES

Kay Harrison made a motion to approve the minutes of the November 4, 2014 Planning Commission meeting. Tim Schmeusser seconded the motion. Roll Call: Kay Harrison, yes; Craig Nelson, yes; Tim Schmeusser, yes; Tom Van Voorhees, abstained. Motion passed.

Kay Harrison made a motion to approve the minutes of the November 20, 2014 joint meeting of the Central Point Planning Commission and the Jackson County Planning Commission. Tim Schmeusser seconded the motion. Roll Call: Kay Harrison, yes; Craig Nelson, abstained; Tim Schmeusser, yes; Tom Van Voorhees, abstained. Motion passed

V. PUBLIC APPEARANCES

VI. BUSINESS

Don Burt presented an amended version of Resolution No. 812 forwarding a favorable recommendation to the City to approve Amendments to the Central Point Municipal Code to add Chapter 17.08.010-Definition, "Congregate Housing"; Chapter 17.64.040, Off-Street Parking Requirements, Table 17.64.02A adjusting parking requirements for Congregate Housing; Chapter 17.65.050 Zoning Regulations, TOD District, Tables 1 through 5; and Chapter 17.65.070 Zoning Regulations, TOD Corridor, Tables 1 through 5, to delete the term "Senior Housing" and replace the term "Senior

Housing" with the term "Congregate Housing" As the result of a recent application three issues came to the attention of the Community Development Department as follows:

1. Section 17.65.050, Tables 1 and 4 refers to "Senior Housing" as a use; however, the term "Senior Housing" is not defined. It is proposed that the term "Senior Housing" be replaced with "Congregate (Senior) Housing" a more generally acknowledged and accepted term within the housing industry. Additionally, Congregate (Senior) Housing will be listed under the multifamily dwelling housing category in Tables 1 through 5 in Sections 17.65.050 and 17.65.070.

It is proposed that Section 17.08.010 Definitions be amended to add the term "Congregate (Senior) Housing" *to mean a multi-family living arrangement, with common dining facilities, designed for healthy older adults in which residents live in their own living unit and have various opportunities for socialization with other residents. Housekeeping and maintenance services are provided, but health maintenance services are scheduled independently by the residents.*

2. Section 17.65.050, Tables 1 and 4 prohibits "Senior Housing" within the LMR district. The proposed amendment will allow Congregate (Senior) Housing within the LMR district, but only when part of an existing or proposed congregare housing project located on abutting property under the same ownership within the MMR or HMR district.
3. Table 17.64.02A Residential Off-Street Parking Requirements currently requires 1 parking space per dwelling unit. It is proposed that the required parking be reduced to .5 spaces per dwelling unit per the Institute of Transportation Engineers, Parking Generation, 3rd Edition.

It is recognized that congregare housing, as a use, has employees for housekeeping, administration, common dining, etc., which sets it apart from an apartment complex. For this reason the allowance of congregare housing within the LMR zone has been restricted to those incidences where it is part of, and under the same ownership of, an abutting congregare housing project in the MMR or HMR zoning district. The design of a congregare housing project in the LMR district will be subject to the LMR residential design and development standards, including density.

The Commission inquired when a prototype might be built and Mr. Burt indicated he believed early spring would be a reasonable expectation.

Tom Humphrey presented Resolution 813 Consideration of a Comprehensive Plan (map) Amendment and Zoning (map) Amendment application from Residential Low Density to Civic and from R-1-6 and Park to Civic zoning for approximately five (5) acres located east of South Fourth Street, north of Bush Street and South of Ash Street. The Project

Site is identified on the Jackson County Assessor's map as 37S2W 11BA, Tax Lot 2200 and 37S2W11BB, Tax Lots 6300, 8200, 8300 and 8301.

During the course of evaluating the above referenced properties as the site for a prospective Community Center and/or other uses, it came to City staff's attention that the zoning would not only restrict the development of such uses but that the zoning and land use designations were inconsistent with one another. The Parks maintenance yard is a legally non-conforming use in 'Park' zoning and the Public Works maintenance yard is a legally non-conforming use in R-1-6, Residential Single Family zoning. Should these uses continue or should the properties be redeveloped for a use like a Community Center, the 'Civic' zoning would be more compatible and appropriate.

There are 4 issues/Notes relative to this application as follows:

1. **Zoning Map and Zoning Code Text Amendments, CPMC Chapter 17.10.** This municipal code section provides standards and procedures for major and minor amendments to the Central Point city zoning map. In this case, the application was initiated by the City for property in its ownership and the action is considered a 'minor' amendment and a Type III process. The amendment should be based on the following criteria; 1) its consistency with the City's Comprehensive Plan, 2) findings demonstrating that adequate public services and transportation networks will serve the property and 3) compliance with the State's Transportation Planning Rule.
2. **Comprehensive Plan Compliance.** Approval of the proposed zone change must be found consistent with the City's Comprehensive Plan Land Use Plan Map. If the Comprehensive Plan designation is changed to Civic on the five lots in question, then Tax Lot 2200 would immediately be compliant (the skate park is already zoned civic) and the other four lots will become compliant when they are rezoned from R-1-6 and Park to a 'Civic' zoning (refer to Attachment A).
3. **Compatibility with Surrounding Land Uses and Zoning.** The proposed land use designation to the west is School District #6 property (CPE and District Administration) which is already designated 'Civic' in the City's Comprehensive Plan Map. Land to the north, south and east is designated residential and is typically compatible with schools, churches, parks and other public uses.
4. **Transportation Planning Rule (TPR) Compliance, OAR 660-012-0060.** Criteria for TPR compliance is addressed in the City findings (Attachment B) demonstrating adequate public services and transportation networks. In this case, Plan Amendments will legitimize existing uses on the properties

involved and which are already receiving public services and are part of a transportation network. Public facilities master plans identify various future public improvements including the replacement of a traffic signal at Fourth and Pine Streets.

Questions were raised as to other areas around the city where the zoning is inconsistent and whether that was also going to be addressed. Mr. Humphrey stated that the City did try to convert most areas where it was appropriate. He stated that the City owned the land at issue and initiated the proposal. The skate park had been built and rezoned but not the area around it. The current proposal came about as a result of interest in the property. He indicated that this area had adequate services and transportation options and the only thing that might be needed would be a new signal at 4th Street and Pine Street if the traffic warranted it.

Mr. Humphrey introduced Resolution No. 814 forwarding a favorable recommendation to the City Council to approve a conceptual land use and transportation plan for CP-1B (Tolo), an urban reserve area of Central Point. He informed the Commission that at this time they should open and continue a public hearing for the conceptual land use and transportation plan for CP-1B. City staff had introduced a rough draft of the CP-1B conceptual plan at the Planning Commission meeting in November and is distributing this document for public review and comment. Revisions are still being made in anticipation of final Planning Commission review in February. In the meantime, he recommended that the Commission take preliminary public testimony in January and then continue the hearing to their meeting in February. Public comment on the conceptual plan will be received at the Citizen Advisory Committee (CAC) meeting on January 13, 2015 and then again at the Planning Commission meeting in February. Pending land owner and CAC input the Planning Commission will make a recommendation to the City Council in February.

The public portion of the meeting was opened. There were no comments. The public portion of the meeting was closed.

Tim Schmeusser made a motion to continue Resolution 814 to the February Planning Commission meeting. Kay Harrison Seconded the motion. Roll Call: Kay Harrison, yes; Craig Nelson, yes; Tim Schmeusser, yes; Tom Van Voorhees, yes. Motion passed.

Don Burt introduced an amended version of Resolution No. 815 authorizing Testing Laboratories as a similar and compatible use within the C-2(M), C-5, and M-1 zoning district; **Applicant:** Kenevir Research.

The City has recently received a request to operate a testing laboratory (Proposed Use) within the C-2(M), C-5, and M-1 zoning districts. The products tested are herbal medicines, vitamins, and nutraceutical products. It should also be noted that one product to be tested is cannabis. The Proposed Use receives small quantities of product to be

tested for mold, insecticides, etc. and reports on the purity of the product. Because of the nature of one of the products tested (cannabis) the Applicant and staff want to be very transparent in addressing the question of “similarity”.

Testing laboratories are not specifically named as a permitted use in the C-2(M), C-5, and M-1 districts. The M-1 district does permit engineering/research laboratories, but not specifically testing laboratories, which are different. Under Section 17.60.140 the Planning Commission has the authority to allow similar uses, subject to making findings per Section 17.40.140(A)(1-4).

For purposes of determining use similarity the North American Industrial Classification System (NAICS) will be used as a reference. The NAICS is used by businesses and governments throughout Canada, Mexico and the United States to classify business establishments according to type of economic activity. The NAICS uses a six-digit coding system to classify all economic activity. Establishments using similar raw material inputs, capital equipment, and labor, and doing similar things in similar ways are classified together.

It has been noted that one of the products the Applicant proposes to test is cannabis the findings presented in this Staff Report are limited to the Testing Laboratories. The products tested are not a consideration.

The public portion of the meeting was opened. Anthony Smith, the applicant addressed the Planning Commission. He indicated that he has a degree in Biochemistry and currently owns and operates a testing laboratory where he tests products for quality.

He indicated that he was looking for a more visible location for his laboratory. He stated that in the testing of cannabis there would be only a small amount of the product, with no consumption and no product leftovers.

A question was asked as to who regulated the testing and what the standards were. Mr. Smith answered that currently there is no legislation regulating testing laboratories but he expected that this would be changing most probably in 2015. He advised the Planning Commission that currently the testing he is doing relates strictly to the medical marijuana. The State requires that the growers and retailers have their product tested and they needed to supply their credentials when submitting a sample.

Once it becomes legal for recreational use, anyone who wanted to could have cannabis tested. He said that the OLCC would most likely be managing the recreational aspect.

Chuck Piland asked about the proposed security for the laboratory. Mr. Smith answered that there would be video surveillance, and card lock systems and alarm systems.

Mr. Humphrey asked what the short term and long term goals were for the laboratory. Mr. Smith indicated that the short term goal was to move to Central Point. The long

range goal was to eventually purchase property and construct their own laboratory building.

Kay Harrison asked what other types of products would be tested. Mr. Smith replied that they would be testing anti-oxidant properties of herbs, anti-aging products and herbs such as echinacea and goldenseal. He indicated that they could test for things such as mold or pesticides. Additionally they were currently beginning to work on nutritional profiling of food products.

Mr. Smith stated that he estimated that in the near future approximately 50% of his business would be from cannabis testing.

The public portion of the meeting was closed.

Tom Van Voorhees made a motion to approve Resolution 815. Craig Nelson seconded the motion. Roll Call: Kay Harrison, yes; Craig Nelson, yes; Tim Schmeusser, yes; Tom Van Voorhees, yes. Motion passed.

VIII. ADMINISTRATIVE REVIEWS

IX. MISCELLANEOUS

Tom Humphrey advised the Planning Commission that there would be a joint meeting with the Jackson County Planning Commission on the 5th of March.

X. ADJOURNMENT

Kay Harrison made a motion to adjourn. Tom Van Voorhees seconded the motion . all Commissioners said "aye". Meeting adjourned at 7:30 p.m.

The foregoing minutes of the January 6, 2015 Planning Commission meeting were approved by the Planning Commission at its meeting on the 5 day of MARCH, 2015.



Planning Commission Chair