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**Central Point  
City Hall  
541-664-3321**

**City Council**

**Mayor**  
Hank Williams

**Ward I**  
Bruce Dingler

**Ward II**  
Kelly Geiger

**Ward III**  
Ellie George

**Ward IV**  
Allen Broderick

**At Large**  
David Douglas  
Rick Samuelson

**Administration**  
Chris Clayton, City  
Manager  
Deanna Casey, City  
Recorder

**Community  
Development**  
Tom Humphrey,  
Director

**Finance**  
Bev Adams, Director

**Human Resources**  
Barb Robson, Director

**Parks and Public  
Works**  
Matt Samitore,  
Director  
Jennifer Boardman,  
Manager

**Police**  
Kris Allison Chief

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**CITY OF CENTRAL POINT  
City Council Meeting Agenda  
January 9, 2014**

Next Res. 1383  
Next Ord. 1981

- I. **REGULAR MEETING CALLED TO ORDER – 7:00 P.M.**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **PUBLIC APPEARANCES** - *This time is reserved for citizens to comment on items that are not on the agenda.*
- V. **SPECIAL PRESENTATION** - Conservation Strategies
- VI. **CONSENT AGENDA**

Page 14      A. Approval of December 12, 2013 Council Minutes  
21 - 22      B. Approval of OLCC Change of Ownership for Central  
Market

- VII. **ITEMS REMOVED FROM CONSENT AGENDA**
- VIII. **PUBLIC HEARING, ORDINANCES, AND RESOLUTIONS**

24 - 34      A. Public Hearing and First Reading – Ordinance Amending  
the Central Point Municipal Code Zoning Sections  
17.16.020; 17.57.020; 17.60.030; 17.60.100; 17.65.050;  
and 17.77.070 to Correct Errors and Inconsistencies  
(Humphrey)

- IX. **BUSINESS**

36 - 37      A. Medical Marijuana Dispensaries Update (Clayton)

39 - 42      B. South Haskell Street Extension (Samitore)

- X. **MAYOR'S REPORT**
- XI. **CITY MANAGER'S REPORT**

**XII. COUNCIL REPORTS**

**XIII. DEPARTMENT REPORTS**

**XIV. EXECUTIVE SESSION**

The City Council may adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

**XV. ADJOURNMENT**

# **Special Presentation**

# **Southern Oregon Conservation Strategies**


**Southern Oregon  
Municipal Water Conservation Workgroup**



**Development of  
Regional  
Conservation  
Strategies  
Report Summary**

October 2013

**Water Conservation Evaluation  
& Program Options**



**Presentation of  
Report Results  
January 2014**

## Summary of Presentation

1. Project Scope, Approach and Timeline
2. Historical Water Use Analysis Results
3. Conservation Program Analysis Criteria and Results
4. Leak Detection and Large Meter Analysis Results
5. Questions



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## Scope of the Analysis

- ✓ Evaluate water conservation program options across the service area that could result in significant reductions in per capita water usage.
- ✓ Explore ways multiple entities can work cooperatively to meet shared conservation goals. Investigate similar efforts employed elsewhere.
- ✓ Perform field testing to determine impact of regularly scheduled calibration of meters, particularly large meters.
- ✓ Study existing water usage trends among customers.



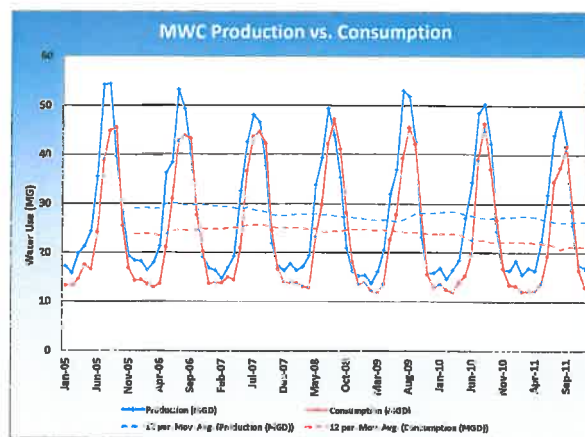
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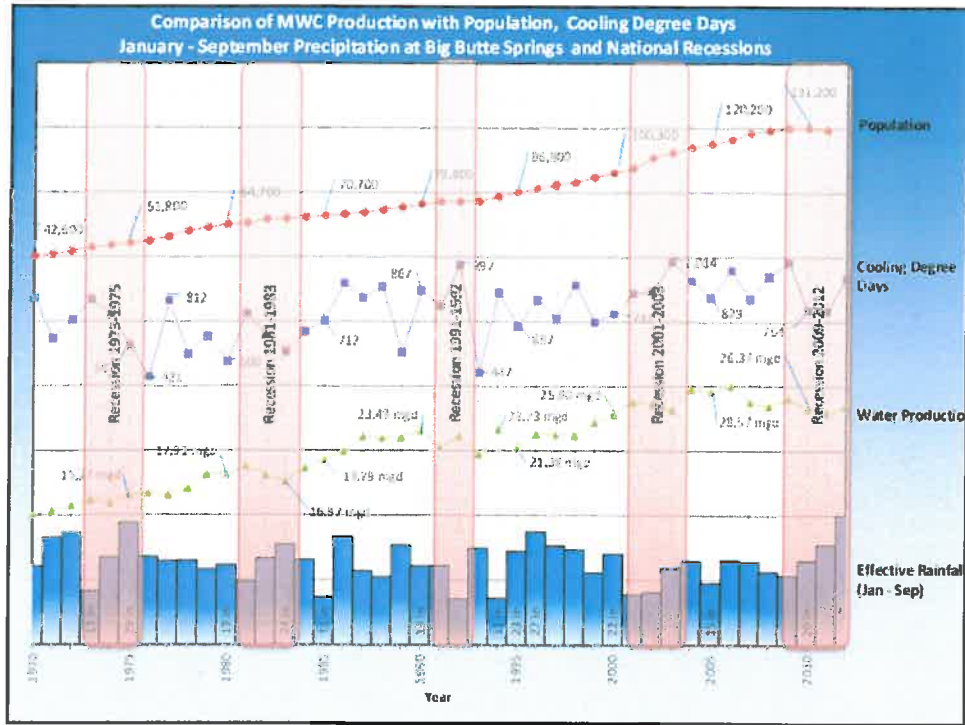
## Project Approach

- ✓ Collect and analyze historical water use data
- ✓ Conduct water leak detection pilot study and large meter analysis
- ✓ Hold conservation measure screening workshop to gather feedback on individual measures appropriate for the area
- ✓ Evaluate Long-Term Water Conservation Measures
  - 26 measures analyzed
  - Analyze implementation feasibility and cost-effectiveness
  - Review ability to meet CIP delay goals
  - Designed three program options
  - Provide recommendations on possible staffing options

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## Production vs. Consumption



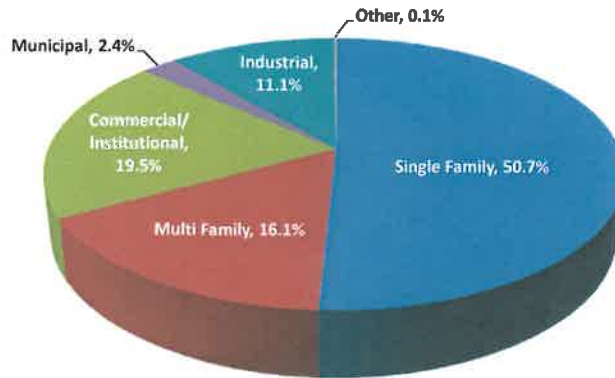


## Service Area Wide Profile 2011

Category	Number of Accounts*	Water Consumption gpd/a	Water Consumption MGD
Single Family	33,867	283	9.569
Multi Family	3,559	853	3.037
Business /Institutional	3,272	1,125	3.682
Municipal	182	2,445	0.445
Industrial	266	7,903	2.101
Other	25	925	0.023
<b>Total Consumption</b>	<b>41,171</b>		<b>18.86</b>

\*Data now includes Talent and collapsed to fewer categories per discussions with MWC. Total value is for consumption and does not include Non-Revenue Water.

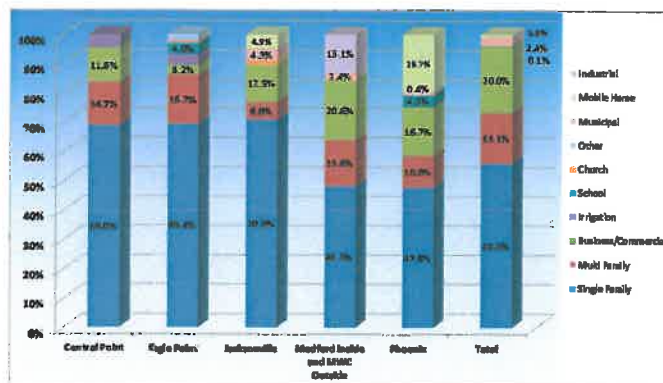
## Service Area Wide Profile 2011



Based on 2011 Combined Regional Consumption Data

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## Water Use by Customer Class



Based on 2011 Combined Regional Consumption Data

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## Conservation Program Evaluation Criteria

- Maximize water savings
- Prioritize the more cost-effectiveness measures
  - Avoided cost of water based on savings in operation, water treatment plant expansion costs, and growing demand
- Ease of implementation/  
potential for success
- Availability of technology
- Budgetary considerations
  - Cost-effective and manageable



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## Modeled Three Program Scenarios

- **Program A** – Similar to existing conservation program
  - 8 conservation measures
- **Program B** – Optimized to maximize water savings
  - Includes: All Program A measures plus added new measures
  - 20 conservation measures
- **Program C** – All measures
  - All conservation program measures analyzed
  - 26 conservation measures

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## Conservation Measure for Analysis

Elements of For Conservation Analysis			
General Measures	Residential Measures (Indoor)	Commercial Measures (Indoor)	Irrigation Measures (Outdoor)
Public Education	High Efficiency Toilets Rebates	High Efficiency Toilets Rebates	Residential Financial Incentives for Irrigation Upgrades
Prohibit Water Waste	Clothes Washer Rebates	Inefficient Equipment Replacement Rebates	Commercial Financial Incentives for Irrigation Upgrades
Automated Meter Infrastructure (AMI)	Faucet/Showerhead Giveaway	High Efficiency Urinal Rebates	Irrigation Water Surveys (Audits)
Water Loss Reduction	Hot Water on Demand	Pre Rinse Spray Nozzles	Provide Incentive for Large Rainwater Catchment Systems
Water Rate Structure Review		Faucet/Showerhead Giveaway	Water Conservation Landscape and Irrigation Codes
Conservation Print Media		Clothes Washer Rebate	Artificial Turf Sports Fields Rebates
		Install High Efficiency Toilets, Urinals, Showerheads in Comm Buildings	SF and CII Irrigation Smart Controllers
		Install High Efficiency Fixtures in Government Buildings	Prohibit HOA or CC&R conditions that mandate planting turf in New Developments
		Top 25 Water Users Program (Top 25 customers from each individual district)	
		Customized Top Users Incentive Program	
		School Building Retrofit	

## Conservation Program A

Elements of Conservation Program A		
General Measures	South Oregon Residential Measures	Commercial/Institutional Measures
Public Information	High Efficiency Toilets Rebates	Water Conserving Landscapes and Codes
Water Loss (NRW) Control Program	High Efficiency Faucets/Aerator/Shower Giveaway	Outdoor Water Use Efficiency Surveys
Water Rate Structure Review	Outdoor Water Use Efficiency Surveys	
	Prohibit Turf Mandates in CC&Rs	

## Conservation Program B

Elements of Conservation Program B South Oregon		
General Measures	Residential Measures	Commercial/Institutional Measures
Public Information	High Efficiency Toilets Rebates	High Efficiency Urinal Rebate
Water Loss (NRW) Control Program	High Efficiency Faucets/Aerator/Shower Giveaway	Water Conserving Landscapes and Codes
Prohibit Water Waste Practices	Outdoor Water Use Efficiency Surveys	Outdoor Water Use Efficiency Surveys
Water Rate Structure Review	Financial Incentives for Irrigation Upgrades	Financial Incentives for Irrigation Upgrades
	Prohibit Turf Mandates in CC&Rs	Mulch Incentives
	High Efficiency Washer Rebate	Low Flow Rinse Nozzles
		School Building Retrofit
		High Efficiency Fixtures in Government Buildings
		Top 25 Water Users (from each district) Program
		Top 25 Water Users Incentive Program

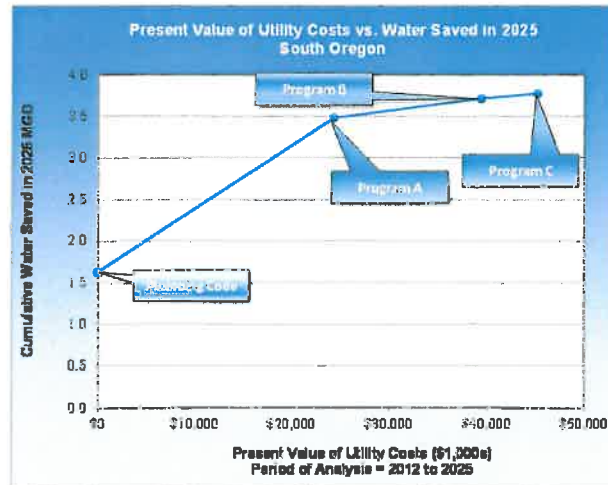
Elements of Conservation Program C South Oregon		
General Measures	Residential Measures	Commercial/Institutional Measures
Public Information	High Efficiency Toilets Rebates	High Efficiency Urinal Rebate
Water Loss (NRW) Control Program	High Efficiency Faucets/Aerator/Shower Giveaway	Water Conserving Landscapes and Codes
Prohibit Water Waste Practices	Outdoor Water Use Efficiency Surveys	Outdoor Water Use Efficiency Surveys
Water Rate Structure Review	Financial Incentives for Irrigation Upgrades	Financial Incentives for Irrigation Upgrades
	Prohibit Turf Mandates in CC&Rs	Mulch Incentives
	High Efficiency Washer Rebate	Low Flow Rinse Nozzles
		School Building Retrofit
		High Efficiency Fixtures in Government Buildings
		Top 25 Water Users (from each district) Program
		Top 25 Water Users Incentive Program
		Install High Efficiency Toilets, Urinals, and Showerheads in Commercial Buildings
		Require or Rebate Hot Water on Demand / Structured Plumbing in New Developments
		CII Clothes Washer Rebate
		Artificial Turf Sports Fields
		CII Rebates to Replace Inefficient Equipment
		Prohibit Once through Cooling, Non-Recycling Fountains, Water Wasting Fixtures and Practices

## Summary of Results

Comparison of Conservation Program Costs and Savings  
South Oregon

Conservation Program	2025 Water Savings (MGD)	2040 Water Savings (MGD)	Total Water Savings as a Percentage of Total Production in 2025	Present Value of Water Utility Costs	Annual Average Water Utility Cost in First Five Years (2013 - 2017)	Water Utility Cost of Water Saved (\$/MG)
Without the Plumbing Code	0.00	0.00	0.00%	NA	NA	NA
With the Plumbing Code	1.63	2.98	5.87%	NA	NA	NA
Plumbing Code plus Program A	3.48	6.03	12.51%	\$24,290,020	\$672,649	\$382
Plumbing Code plus Program B	3.71	6.37	13.35%	\$39,356,577	\$704,705	\$562
Plumbing Code plus Program C	3.77	6.46	13.56%	\$45,110,798	\$720,518	\$630

## Comparison of Alternative Conservation Programs



## Leak Detection / Large Meter Findings

- **Leak Detection Pilot Study**

- Each entity should complete detailed water audits & component analyses
- All 4 areas studied - simple payback period is less than 13 months
- Economically justified programs can be designed to manage each city's apparent losses and real losses

- **Large Meter Analysis**

- Appears there would be benefits for the cities to implement increased meter testing

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## Summary

- Amazing amount of effort was put into gathering data by each cities staff
- Outcome from this evaluation process is a quality list of measures recommended that if adopted will lead to more investment in the conservation program
- Goal is to have a sustainable and implementable plan!

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# Implementation? Questions?

# Consent Agenda

**CITY OF CENTRAL POINT  
City Council Meeting Minutes  
December 12, 2013**

**I. REGULAR MEETING CALLED TO ORDER**

Mayor Williams called the meeting to order at 7:00 p.m.

**II. PLEDGE OF ALLEGIANCE**

**National Anthem was sang by Captain Brian Day**

**III. ROLL CALL:**

Mayor: Hank Williams  
Council Members: Allen Broderick, Bruce Dingler, Kelly Geiger, Rick Samuelson, and David Douglas were present. Ellie George was absent.

City Manager Chris Clayton; City Attorney Sydnee Dreyer; Police Chief Kris Allison; Community Development Director Tom Humphrey; Human Resource Director Barb Robson; Parks and Public Works Director Matt Samitore; and City Recorder Deanna Casey were also present.

**IV. PUBLIC APPEARANCES – None**

**V. SPECIAL PRESENTATION**

Police Chief Kris Allison introduced Central Point Officers Joe Vargas, Brian Munoz; and Hilary Seliger. She explained their backgrounds and hire dates. Each officer has completed the Police Academy training. She proceeded with the ceremonial swearing in of each officer.

**V. CONSENT AGENDA**

- A. Approval of November 14, 2013 City Council Minutes
- B. Approval of Fallen Police Reserve Officer Proclamation
- C. Approval of 2014 Central Point Committee Reappointments
- D. Approval of 2013 Surplus list

**Bruce Dingler made a motion to approve the Consent agenda as presented.** Allen Broderick seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

**VI. ITEMS REMOVED FROM CONSENT AGENDA - None**

**VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS**

- A. **Resolution No. 1383, Adopting a Revised City Street Tree Guide**



Parks and Public Works Director Matt Samitore explained that several flowering and fruit bearing trees have been removed from the approved tree list for street trees. They are still allowed on private property. The document provides a detailed list of trees that grow well in our valley, along with their description and details regarding their health. The document will be available on our website for citizens to view.

**Allen Broderick made a motion to approve Resolution No. 1383, Adopting a Revised City Street Tree Guide.** Kelly Gieger seconded. Roll call: Hank Williams, yes; Bruce Dingle, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

**B. Resolution No. 1384, Revising the Medford Water Commission System Development Charge**

Mr. Samitore stated that our contract with the Medford Water Commission requires Central Point to collect SDC fees from new construction and pass them on the Medford Water Commission. They have recently provided the City with their methodology and plan to increase fees as of January 1, 2014. This is not a city fee and we do not have the authority to deny the increase.

There was discussion regarding the methodology and the list of Capital Improvements for the Medford Water Commission. Council members were not comfortable increasing these fees but realize they do not have a choice.

**Rick Samuelson made a motion to approve Resolution No. 1384, Revising the Medford Water Commission System Development Charge.** Bruce Dingle seconded. Roll call: Hank Williams, yes; Bruce Dingle, yes; Kelly Geiger, no; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion passes.

**C. Resolution No. 1385, Revising City of Central Point System Development Charges**

Mr. Samitore explained that the proposed resolution adjusts the SDC charges. Some projects have been completed and removed from the Capital Improvement list. There are some increases and some decreases to various fees. There is a decrease in the Parks SDC because a new Parks Master Plan needs to be completed before we can collect and spend SDC's. The Capital Improvement plan can be funded by SDC fees and should be a consideration in the very near future. Without a Parks Master Plan we are limited in the types of grants we can apply for. He would like to see a 25 year Parks Master Plan that would include the Urban Reserve areas.

Council would like to get the process started for an updated Parks Master Plan and directed staff to return with options. Staff will review the budget to see if there are funds that can be used prior to the 2014/2015 budget approval in July.

**Allen Broderick approved Resolution No. 1385, Revising City of Central Point System Development Charges.** Kelly Geiger seconded. Roll call: Hank Williams, yes; Bruce Dinger, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes, yes. Motion approved.

**D. Resolution No. 1386, Exercising the Power of Eminent Domain for the Freeman Road Improvements**

Mr. Samitore explained that in 2011 the City received a grant from the Congestion Management Air Quality (CMAQ) program to improve Freeman Road from Grand Avenue to the Mountain View Plaza Shopping Center. The project entails improving the road to three lanes with a center turn lane, sidewalks and bike lanes. There are three properties where a small portion of property will need to be acquired by the city to complete the process. The rest of the acquisitions are for temporary construction easements and permanent slope/drainage easements.

He explained the process of acquiring the easements and rights-of-ways. If the city and owner cannot agree on terms for acquisition, the proposed resolution explains the process. Property owners are given opportunity if they do not agree with the recommended compensation by the Right of Way Consultant. The City has worked with this consultant on several projects and has not had to exercise the power of eminent domain.

The Council has approved similar resolutions in the past for federally funded projects. It is never the intention of the city to use the power of eminent domain but to ensure the completion of the project the Federal government requires this step.

**David Douglas made a motion to approve Resolution No. 1386, Exercising the Power of Eminent Domain for the Freeman Road Improvements.** Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dinger, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes, yes. Motion approved.

**E. Resolution No. 1387, Approving the Revised Management Compensation Plan**

Human Resource Director Barb Robson explained that the Management Compensation plan was originally adopted in December of 2010. The plan specifies that management salaries are to be reviewed every three years. It also specifies the parameters for determining which employers should be surveyed, and how ranges should be viewed in Central Point.

She explained some recommended changes to the plan:

- Adding language to better address poor performance
- Streamlining the management evaluation process
- Adding a provision to allow for future options for creative use of deferred compensation programs

- Clarifying items that are considered part of the total compensation package
- Adding “Management Leave” as benefit for FLSA exempt managers

In addition to the language changes there are adjustments recommended to the Bands of pay range for management salary scale. The City Recorder would be moved to Band II and the IT Director and HR Director would be moved to band IV. Approval of this resolution does not authorize pay increases for any position, it simply adjusts what is available for those positions. Each position in the compensation plan will have annual reviews which will determine if they receive an increase in pay or benefits.

There was some discussion if the HR Director should be negotiating her own salary increase. It was clarified that she only provides the information to the City Manager who makes the final determination once the Council approves the new Compensation Pay Plan ranges.

**Bruce Dingler made a motion to approve Resolution No. 1387, Approving the Revised Management Compensation Plan.** Allen Broderick seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

**F. Resolution No. 1388, Adopting Compensation Pay Plan**

Mrs. Robson explained that the proposed resolution updates the Pay Plan with the changes to the management salary bands. Approval of this resolution does not increase any employee’s salary. It adjusts the bands and pay range that the position will be located in. Any recommended salary increase will be done during the performance evaluation of each manager.

**Bruce Dingler made a motion to approve Resolution No. 1388, Adopting the Compensation Pay Plan.** David Douglas seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

**VIII. BUSINESS**

**A. Discussion of State Grant for Improvement of Railroad Crossing**

City Manager Chris Clayton and Community Development Director Tom Humphrey explained that a resolution of acceptance will be required after the first of the year for the grant to help with the Twin Creeks Crossing and Highway 99. Council and staff have discussed various options for the city match of approximately \$1,300,000 in a combination of options that will include the Twin Creeks Developer, City Funds and Urban Renewal options.

The Railroad Crossing project is identified in the City’s 2008 Transportation System Plan (TSP) as a high priority Tier 1, Short-Term Project. The TSP anticipated that the crossing would be complete by FY13-14. Based on the

pending Grant the project will not be complete until FY16-17. Staff will return with the proposed resolution once the agreement with the Twin Creeks Development LLC has been completed and signed.

**B. Discussion Regarding Agreement Between City and Twin Creeks Development LLC**

Mr. Humphrey and Mr. Clayton explained that the developer has agreed to participate in the infrastructure improvements as set forth in the Master Plan. Because of some changes to the FEMA Flood Insurance Rate Maps they are not able to sign the current agreement. It was anticipated that the developer would sign the agreement in December and the City Council could approve the resolution accepting the grant. Recent events related to the special Flood Hazard Area impacts on Twin Creeks and the requirement for environmental review, the developer cannot yet provide a schedule for FEMA CLOMAR review, which is part of the agreement.

Mr. Samitore explained a letter from NIMPS over endangered species and a time line in completing the COMAR. There are currently several law suits regarding endangered species and those outcomes could have devastating effects on future Twin Creeks Development. Completion of the CLOMAR could take several years because it will rely on other agencies to complete work.

If the city removes the requirement providing a time line for completion of the CLOMAR the developer would be able to sign the agreement. We would be able to proceed with the project. The city will research the deadline for acceptance of the grant. This will give FEMA time to complete their work and provide the developer with a time line. There is an option of increasing the bonding for the developer. Bonds protect the city if the developer is not able to complete their tasks.

Staff was directed to bring both items back to the Council in January. If needed the CLOMAR timeline requirement can be removed if the bond is increased.

**IX. MAYOR'S REPORT**

Mayor Williams reported that:

- He attended the Medford Water Commission meeting. The MWC Manager has been researching local cities and provided minutes to the Commissioners where the MWC was discussed at various Council meetings.
- He was one of the judges for the Providence Festival of Trees.
- He attended the Jackson County/Medford Chamber of Commerce Luncheon.
- He attended the Cities Water Coalition meeting where they discussed the proposed agreements sent to all the cities from the MWC.
- He attended the Light Parade and Community Christmas Tree Lighting.

**X. CITY MANAGER'S REPORT**

City Manager Chris Clayton reported that:

- The water crew did a great job repairing a water main break on Laurel Street in the extreme weather conditions.
- Central Point Public Works Street Department has gotten praise from outside agencies for how they have been able to handle the snow and icy roads. They have been successful in keeping the roads as safe as possible with the low temperatures.
- There is a new training calendar available from LOC. Several sessions will be offered in the Rogue Valley.
- The Finance Department will be posting an RFP for Audit services at the end of December.

## **XI. COUNCIL REPORTS**

Councilmember David Douglas reported that he attended the Community Christmas Celebration; he will be resigning from the Central Point Chamber Board to pursue other interests.

Councilmember Bruce Dingler reported that he attended the Community Christmas and Tree lighting.

Councilmember Rick Samuelson reported that he was very impressed with the Public Works Crews and their handling of the snow and ice on our streets.

Councilmember Allen Broderick reported that he attended the Community Christmas Tree lighting and was amazed at how many people attended in the 17 degree temperatures. This will be his last meeting until March 18, 2014. He will be accessible by phone or Skype if needed for a quorum.

## **XII. DEPARTMENT REPORTS**

Community Development Director Tom Humphrey reported that:

- The Crater Foundation Annual Action was well attended.
- He has been working on a code amendment allowing marijuana dispensary's in specific zoning areas.
- The developer for White Hawk subdivision is starting to revive that project with new plans.
- He has been working with the County and 1000 Friends of Oregon on our Urban Growth Boundary expansion.

Police Chief Kris Allison reported that:

- Instead of adopting a family this year they will be gathering nonperishable food items for the Lutheran Church Food pantry. They are in a state of depletion with all the families in need this year.
- There was a fatal car crash on Hwy 99 Saturday night. It does not appear to be the drivers fault.

Parks and Public Works Director Matt Samitore reported that:

- The Community Christmas Celebration was well attended and he wanted to thank all the Council members and staff who attended. It was cold but there was still a decent amount of people enjoying the parade and tree lighting.
- The waterline break on Laurel Street is part of the older downtown water lines that we have had several problems with recently. The 80 year old lines need to be replaced in the near future.

Human Resource Manager Barb Robson reported that:

- she attended the Community Christmas but did not stay for the tree lighting, it was just too cold.
- She is working with the managers on employee evaluations.
- Council members are invited to the January 30<sup>th</sup> Employee Recognition breakfast at Twin Creeks.

**XIII. EXECUTIVE SESSION - None**

**XIV. ADJOURNMENT**

**Allen Broderick moved to adjourn**, Rick Samuelson seconded, all said “aye” and the Council Meeting was adjourned at 8:29 p.m.

The foregoing minutes of the December 12, 2013 Council meeting were approved by the City Council at its meeting of January 9, 2014.

Dated:

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

ATTEST:

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



155 South Second Street • Central Point, OR 97502

Ph: (541) 664-5578 • Fax: (541) 664-2705 • [www.centralpointoregon.gov](http://www.centralpointoregon.gov)

**Kristine Allison**


**Chief**

Date: 01/02/14  
From: Chief Kristine Allison  
To: Honorable Mayor Williams  
Subject: Request for OLCC License

RE: Daves's Central Market /Persons associated therewith

Files of the Central Point Police Department contain no information pertinent to the request.

Respectfully,

  
Kristine Allison  
Chief of Police  
Central Point Police Department



# OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Reset Form

Print Form

Application is being made for:

### LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
  - Commercial Establishment
  - Caterer
  - Passenger Carrier
  - Other Public Location
  - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
  - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: \_\_\_\_\_

### ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other \_\_\_\_\_

RECEIVED

DEC 12 2013

MEDFORD REGIONAL OFFICE  
OREGON LIQUOR CONTROL COMMISSION

### CITY AND COUNTY USE ONLY

Date application received: \_\_\_\_\_

The City Council or County Commission: \_\_\_\_\_

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: \_\_\_\_\_  
(signature) (date)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

### OLCC USE ONLY

Application Rec'd by: [Signature]

Date: 12/17/13

90-day authority:  Yes  No

### 90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

### APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① KAUSHA PATEL ③ \_\_\_\_\_

② \_\_\_\_\_ ④ \_\_\_\_\_

2. Trade Name (dba): Duve's CENTRAL MARKET

3. Business Location: 750, HOPKINS RD, CENTRAL POINT, OR, 97502  
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 1030N, RIVERSIDE AVE, MEDFORD, OR, 97501  
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 541-664-1774  
(phone) (fax)

6. Is the business at this location currently licensed by OLCC?  Yes  No

7. If yes to whom: Duve's CENTRAL MARKET LLC Type of License: OLCC

8. Former Business Name: Duve's CENTRAL MARKET

9. Will you have a manager?  Yes  No Name: N/A  
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? CENTRAL POINT, OR, 97502  
(name of city or county)

11. Contact person for this application: KAUSHA PATEL 541-210-8801  
(name) (phone number(s))  
1030N, RIVERSIDE AVE \_\_\_\_\_  
(address) (fax number)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Kausha Patel Date 12-12-13 ③ \_\_\_\_\_

② \_\_\_\_\_ Date \_\_\_\_\_ ④ \_\_\_\_\_



# **Ordinance**

## **Public Hearing/First Reading Ordinance Amending Chapter 17**



**STAFF REPORT**

January 9, 2014

**AGENDA ITEM:**

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First Reading of Municipal Code Amendments to Chapter 17.16 R-L Zoning; 17.57 Fences; 17.60 General Regulations; 17.65 TOD Districts and Corridors; and 17.77 Accessory Dwelling Units (ADU).

**STAFF SOURCE:**

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Tom Humphrey, Community Development Director

**BACKGROUND:**

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The Community Development Department periodically comes across errors and inconsistencies in the land use and development (zoning) code. The above mentioned municipal code sections are in need of amendment in order to make them more reasonable and effective. The following sections coincide with the sections listed in the attached ordinance (Attachment A).

Section 1, adds Accessory Dwelling Units to the R-L, Residential Low-Density District which has historically allowed guesthouses already. Standards for ADUs are referenced to Chapter 17.77.

Section 2, changes the side yard setback requirements for fences which are not the same for buildings and which should be allowed on the property line.

Section 3, deletes the minimum square footage building permit requirement for accessory building, deferring instead to the building code.

Section 4, corrects an error to the zoning regulations for multifamily and senior housing so that the maximum density is not limited by the land area per unit.

Section 5, deletes the minimum unobstructed street frontage of 25 feet in favor of a distance approved by the fire district that the use of the standard was intended to satisfy.

**ISSUES:**

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The Planning Commission reviewed these amendments without objection and unanimously recommended approval. The proposed changes were also sent to the Department for Land Conservation and Development (DLCD) who had no comment in favor of or opposing the code changes.

**EXHIBITS/ATTACHMENTS:**

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Attachment "A" – Ordinance No. \_\_\_\_\_, An Ordinance Amending the Central Point Municipal Code Zoning Sections 17.16.020; 17.57.020; 17.60.030; 17.60.100; 17.65.050; AND 17.77.070 to Correct Errors and Inconsistencies

**ACTION:**

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Consider proposed amendments and 1) forward the ordinance to a second reading, 2) make revisions and forward the ordinance to a second reading or 3) deny the ordinance.

**RECOMMENDATION:**

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Discuss ordinance proposal and forward ordinance and amendments to a second reading.

**AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE ZONING SECTIONS 17.16.020; 17.57.020; 17.60.030; 17.60.100; 17.65.050; AND 17.77.070 TO CORRECT ERRORS AND INCONSISTENCIES**

**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.** On November 5, 2013, by unanimous decision, the Central Point Planning Commission recommended approval of code amendments to Chapter 17.16 R-L Zoning; 17.57 Fences; 17.60 General Regulations; 17.65 TOD Districts and Corridors; and 17.77 Accessory Dwelling Units (ADU).
- C.** On January 9, 2014, 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 Amendments.

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

- SECTION 1. Chapter 17.16, (Exhibit "A") deletes the minimum unobstructed street frontage of 25 feet in favor of a distance approved by the fire district that the use of the standard was intended to satisfy.
- SECTION 2. Chapter 17.57, (Exhibit "B") changes the side yard setback requirements for fences which are not the same for buildings and which should be allowed on the property line.
- SECTION 3. Chapter 17.60, (Exhibit "C") deletes the minimum square footage building permit requirement for accessory building, deferring instead to the building code.
- SECTION 4. Chapter 17.65, (Exhibit "D") corrects an error to the zoning regulations for multifamily and senior housing so that the maximum density is not limited by the land area per unit.
- SECTION 5. Chapter 17.77, (Exhibit "E") adds Accessory Dwelling Units to the R-L, Residential Low-Density District which has historically allowed guesthouses already. Standards for ADUs are referenced to Chapter 17.77.

**PASSED** by the Council and signed by me in authentication of its passage this \_\_\_\_ day of January 2014.

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

ATTEST:

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

**Chapter 17.16**  
**R-L, RESIDENTIAL LOW-DENSITY DISTRICT**

**17.16.020 Permitted uses.**

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

A. Single-family dwelling;

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.

C. Accessory uses are permitted as follows:

1. Guesthouse, ~~not rented or otherwise conducted as a business~~ /Accessory Dwelling Unit as defined in Chapter 17.77;
2. Greenhouse for domestic noncommercial gardening;
3. Personal hobby or work shop;
4. Garage and other storage buildings for personal, noncommercial use.

D. Residential homes.

E. Residential facilities, as that term is defined in Oregon Revised Statutes 197.660(1); provided, however, 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. (Ord. 1684 §28, 1993; Ord. 1529 §1 (part), 1984; Ord. 1436 §2(part), 1981).

**Chapter 17.57  
FENCES**

Sections:

[17.57.010](#) Chapter application.

[17.57.020](#) General regulations.

[17.57.030](#) Fences in the stream setback area.

[17.57.040](#) Prohibited fence types.

[17.57.050](#) Violation--Penalty.

**17.57.010 Chapter application.**

This chapter will apply to all zone classifications within the city as listed in this title. All of the provisions of Chapter [12.20](#) and Chapter [17.67](#) relating to the location, placement, and height of fences are also applicable to fences affected by this chapter. (Ord. 1846 §2(part), 2003).

**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;
3. Masonry walls;
4. Retaining walls over four feet in height measured from the bottom of the footing to the top of the wall; and
5. Retaining walls, any height, supporting a surcharge.

C. Setbacks and Design Criteria.

**Fence Regulations**

	R-L	R-1	R-2	R-3	C-N	C-2(M)	C-4	C-5	M-1	M-2
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	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'
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.	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: A fence permit is required if fence is to be constructed in public right-of-way.

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

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

\*c: No fencing will conflict with the sight distance requirements set by 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.

f: Requests for variances shall be made by application on such form as designated by the city manager and will be reviewed in accordance with Chapter [17.05](#).

## Chapter 17.60 GENERAL REGULATIONS

### **17.60.030 Accessory buildings.**

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Accessory buildings 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 (R) district a side or rear yard not adjoining a street may be reduced to three feet, measured from the furthest protrusion or overhang, 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 (R) districts 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 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 ~~totaling one hundred twenty square feet or more will require a building permit and~~ 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 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.

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 abut an alley, are used as garages, and take their access from the alley shall have a setback of fifteen feet from the rear property line. (Ord. 1818 §1(part), 2001; Ord. 1684 §53, 1993; Ord. 1436 §2(part), 1981).



### **17.60.100 Projections from buildings.**

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Bay windows, cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features and other similar architectural features may project not more than ~~eighteen~~ **twenty four** inches into a required yard or into a required open space as established by coverage standards. (Ord. 1436 §2(part), 1981).

**Chapter 17.65  
TOD DISTRICTS AND CORRIDORS**

**17.65.050 Zoning regulations--TOD district.**

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A. Permitted Uses. Permitted uses in Table 1 are shown with a "P." These uses are allowed if they comply with the applicable provisions of this title. They are subject to the same application and review process as other permitted uses identified in this title.

B. Limited Uses. Limited uses in Table 1 are shown with an "L." These uses are allowed if they comply with the specific limitations described in this chapter and the applicable provisions of this title. They are subject to the same application and review process as other permitted uses identified in this title.

C. Conditional Uses. Conditional uses in Table 1 are shown with a "C." These uses are allowed if they comply with the applicable provisions of this title. They are subject to the same application and review process as other conditional uses identified in this title.

D. Density. The allowable residential density and employment building floor area are specified in Table 2.

E. Dimensional Standards. The dimensional standards for lot size, lot dimensions, building setbacks, and building height are specified in Table 2.

F. Development Standards.

1. Housing Mix. The required housing mix for the TOD district is shown in Table 2.

2. Accessory Units. Accessory units are allowed as indicated in Table 1. Accessory units shall meet the following standards:

- a. A maximum of one accessory unit is permitted per lot;
- b. The primary residence and/or the accessory unit on the lot must be owner-occupied;
- c. An accessory unit shall have a maximum floor area of eight hundred square feet;
- d. The applicable zoning standards in Table 2 shall be satisfied.

**Table 2**  
**TOD District Zoning Standards**

Standard	Zoning Districts					
	LMR	MMR	HMR	EC	GC	
Density--Units Per Net Acre (f)						
Maximum	12	32	NA	NA	NA	
Minimum	6	14	30	NA	NA	
Dimensional Standards						
Minimum Lot or Land Area/Unit						
Large single-family	5,000 SF	NA	NA	NA	NA	
Standard single-family	3,000 SF	NA	NA	NA	NA	
Zero lot line detached	2,700 SF	2,700 SF	NA	NA	NA	
Attached row houses	2,000 SF	1,500 SF	1,200 SF	NA	NA	
Multifamily and senior housing	2,000 SF	1,500 SF	1,000 SF	1,000 SF	NA	
Average Minimum Lot or Land Area/Unit						
Large single-family	7,500 SF	NA	NA	NA	NA	
Standard single-family	4,500 SF	NA	NA	NA	NA	
Zero lot line detached	3,000 SF	3,000 SF	NA	NA	NA	
Attached row houses	2,500 SF	2,000 SF	1,500 SF	NA	NA	
Multifamily and senior housing	2,500 SF	<del>2,000 SF</del> NA	1,500 SF	1,500 SF	NA	
Minimum Lot Width						
Large single-family	50'	NA	NA	NA	NA	
Standard single-family	50'	NA	NA	NA	NA	
Zero lot line detached	30'	30'	NA	NA	NA	
Attached row houses	24'	22'	18'	NA	NA	

**Chapter 17.77**  
**ACCESSORY DWELLING UNITS (ADU)**

**17.77.070 ADUs detached from single-family dwelling--Special.**

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The following provisions shall be applicable to detached ADUs:

- A. Water, sewer and solid waste collection may be by way of connections and service that is completely separate, apart and independently metered from the single-family dwelling to which such ADU is accessory, or by other means approved by the public works department.
- B. All detached ADUs shall comply with all setback and separation requirements for detached accessory buildings except that the minimum rear yard setback shall be ten feet.
- C. Detached ADUs shall be designed in such a manner as to blend with or complement the architectural design of the single-family dwelling to which such ADU is accessory; approval of such design shall be made by the appeal board of adjustment.
- D. Detached ADUs shall share the same hard-surfaced driveway as the single-family dwelling to which such ADU is accessory, and shall have direct access to the street upon which the single-family dwelling fronts, or take access from an alley. No new or additional curb cuts shall be permitted for the ADU, except on corner lots where a new curb cut will be allowed on the street frontage having no existing curb cut.
- E. Detached ADUs shall have an ~~minimum of twenty-five feet of~~ unobstructed street frontage ~~approved by the fire district~~ with no intervening structures to ensure adequate visibility and access for emergency vehicles. (Ord. 1942 §3, 2010; Ord. 1884 (part), 2006).

# **Business**

## **Discussion of Medical Marijuana Dispensaries**



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INTEROFFICE MEMO

Chris Clayton, City Manager  
Tom Humphrey, Community Development Director

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TO: Central Point City Council  
FROM: Administration & Community Development  
SUBJECT: Medical Marijuana Dispensaries - Update  
DATE: January 9, 2014

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City Staff was recently contacted by a gentleman proposing a medical marijuana dispensary to be located within the Mountain View Plaza shopping center. The attached map indicates the proposed location along with the 1,000 foot buffer zones that would be created by both State Law and the City's proposed municipal code amendments.

The Community Development Department has already submitted a draft of the proposed municipal code amendments to the Division of Land Conservation and Development (DLCD) for their review and comment. The changes are intended to regulate the establishment of medical marijuana dispensaries in Central Point. The code amendments will be considered by the Citizens Advisory Committee in January and both the Planning Commission and City Council in February.

There is a state appointed rule making committee that is considering how best to implement the Senate Bill that instituted the medical marijuana dispensaries. They are expected to have recommendations prior to March 1<sup>st</sup> 2014 and the City Council may wish to incorporate these as part of the City's code amendments. As it stands, CPMC Chapter 17 would be amended to allow dispensaries in three commercial zones (C-2M, C-4 and C-5) as a *conditional use* and Chapter 5 would be amended to define dispensaries and to specify the conditions under which the dispensaries would be allowed.

This discussion item will include the following:

1. An overview of the proposed municipal code amendments being reviewed by DLCD.
2. A timeline for City Council Consideration of the proposed code amendments.
3. Public Comment.
4. Further City Council input/direction.

Attached:

1. Map displaying buffer zones and location of interest.

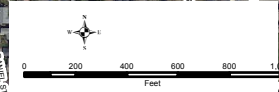
# 1,000 Ft. Buffer Around Central Point Schools

**JEWETT ELEMENTARY**

Location of Interest

**NOAH'S ARK PRESCHOOL  
(PRIVATE)**

**CENTRAL POINT ELEMENTARY**



CAR010914

# **Business**

## **Discussion on Haskell Street Extension**





December 19, 2013

TO: Honorable Mayor and City Council

FROM: Matt Samitore, Parks & Public Works Director

RE: South Haskell Street Extension

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**SUBJECT:**

Discussion of extension of South Haskell Street from the Cascade Meadows Development to the Snowy Butte Meadows Development.

**BACKGROUND:**

In 2002 the City adopted a revised plan for the old Central Point Mill site and subsequently approved a master plan for the Cascade Meadows Development. In approving these master plans in coordination with the Twin Creeks Community, it established South Haskell as a Collector Street that would handle traffic parallel to Highway 99. The overall goal was to link Haskell Street from Grant Road to the north, just south of Scenic Avenue to Beall Lane.

Since that time, Twin Creeks has developed the majority of North Haskell Street from Pine Street through the current North Village Phase 3. The Snowy Butte Development extended South Haskell Street to roughly Chickory Lane and Cascade Meadows Development extended South Haskell Street approximately 1000 feet north of Beall Lane (see Exhibit A).

Exhibit A

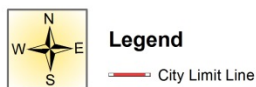


Date: 12/19/2013

What is left is an island of property that is needed in order to connect the street. Two of the three properties are owned by developer Bob Fellows, who is willing to either donate the right-of-way for the street improvements and/or install them as part of his future development and receive System Development Charge (SDC) credit whichever comes first.

The other property is owned by Robert and Linda Quillen (see exhibit B). Unfortunately, the Quillens are not amenable at this time for acquisition of their property for future street purposes. The Quillens issues are that he wants to remain in Jackson County and wants to be able to keep parking equipment and farm on the property without City limitations.

### Exhibit B



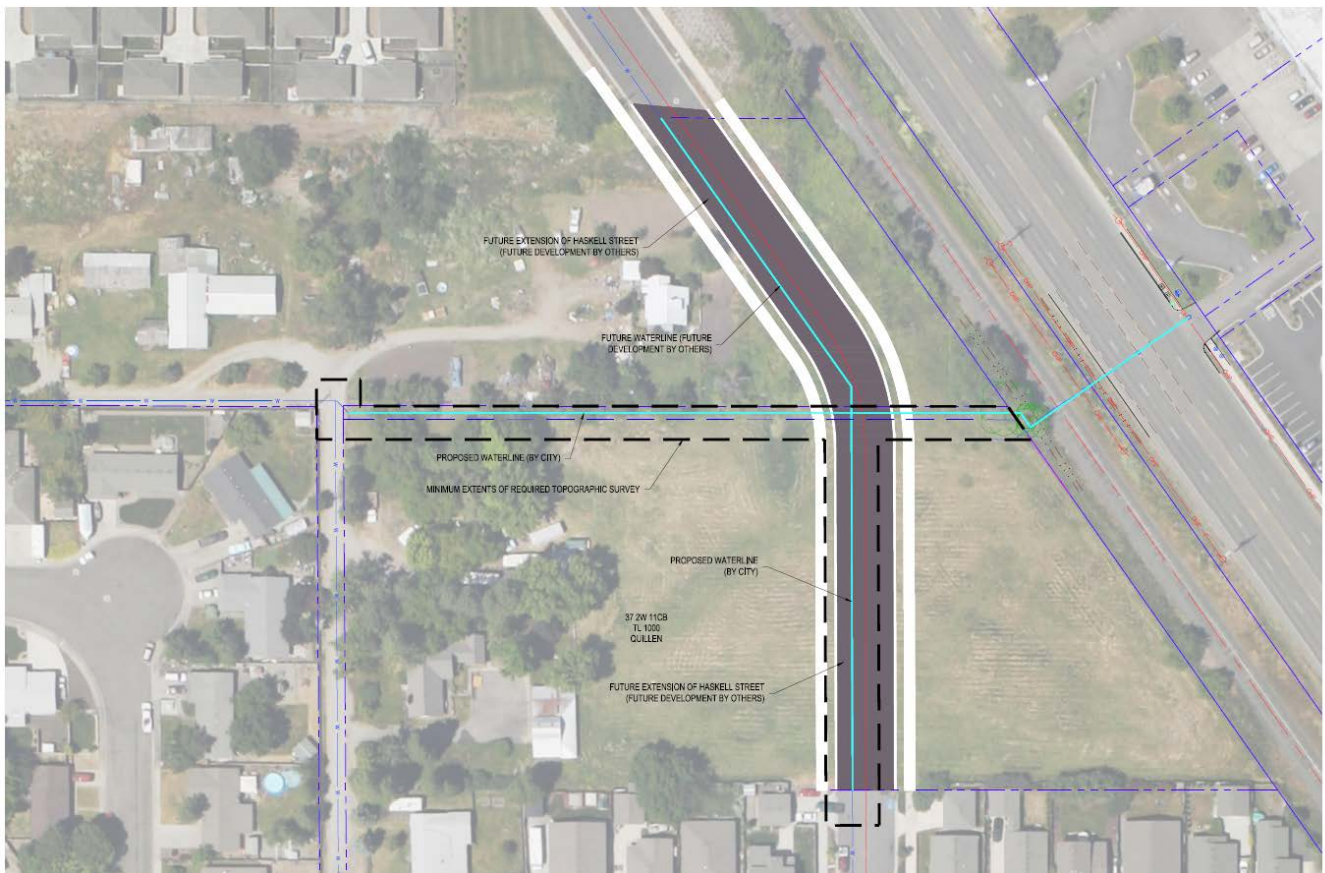
Date: 12/19/2013

**ISSUES:**

Though not an immediate issue, long term with the build-out of Twin Creeks and Snowy Butte Station the transportation link will be needed in order to have connectivity within the corridor. Without the link Haskell and W. Pine Streets and Pine Street and Hwy 99 intersections will continue to degrade to potential complete transportation failure, regardless of whether the new Twin Creeks Rail Crossing is completed.

The road is also needed for extension of the second to last major water capital improvement project which reinforces the 12" waterline on Highway 99 with the 12" waterline on Beall Lane. The City has an existing easement to replace this line, however to best maximize the water pressure it is best to link to the dead end line in Haskell Street that is associated with Cascade Meadows.

**Exhibit C**



**RECOMMENDATION:**

Staff would like to hire an appraiser to assess Mr. Quillens property and present those findings to Council. If reasonable, the City would like to make an offer to buy the area for future right of way for South Haskell Street. If the City and the Guillen's cannot agree the City Council would need to consider either dropping the project until such time as the Guillen's desire to develop the property or pursue condemnation.