

**BURDEN OF PROOF  
GROCERY OUTLET  
CENTRAL POINT, OREGON**

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**Applicant:** Dickerhoof Properties, LLC  
PO Box 1800  
Corvallis, Oregon 97339

**Owner:** RF5 Properties, LLC  
2316 W Hillside Drive  
Central Point, Oregon 97502

**Representatives:** Rhine-Cross Group, LLC  
112 N 5th Street, Suite 200  
PO BOX 909  
Klamath Falls, OR 97601  
Phone: (541) 851-9405

**Location:** The property is along East Pine Street/Biddle Road

**Address:** No situs address assigned

**Reference Parcel No.:** Tax Lot 802 Map No. 37S 2W 01C

**Comp. Plan Designation:** Commercial

**Zoning Designation:** C-5 Zone (Thoroughfare Commercial)

**Proposal:** Construction of Grocery Outlet

**Date:** June 18, 2024



112 N. 5<sup>th</sup> Street, Suite 200  
PO Box 909  
Klamath Falls, Oregon 97601

## ***PROJECT OVERVIEW & DESCRIPTION***

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The applicant intends construct an approximately +/-16,000 square foot grocery store, "Grocery Outlet" located along East Pine Street /Biddle Road, Central Point.

The site is currently undeveloped and consists of 2.24 acres. The site is served by Central Point Water Service, Rogue Valley Sewer Services storm drainage and sanitary sewer. Other utilities readily available are power, telephone, and cable TV all existing within the right-of-way of Biddle Road.

The subject property is currently designated C5=Thoroughfare Commercial. Supermarkets are permitted uses within this zoning and will be referred to the planning commission for further review, per Section 17.46.030 of the Central Point Municipal Code.

The subject property is relatively flat with existing water and sewer utilities available that are able to serve the project site. The site is served by Fire District No. 3 with fire hydrants located around the development site. The site is within the Airport Concern Overlay and will record a copy of an avigation easement prior to building permits.

This application for site plan improvements must denote compliance with Central Point Municipal Code (CPMC) 17.05, 17.46, 17.64, 17.72, 17.75, and 17.75 as applicable (Type III, see Section 17.,05.400.

# Table of Contents

<b>PROJECT overview &amp; DESCRIPTION</b>	<b>2</b>
<b>CENTRAL POINT MUNICIPAL CODE (CPMC)</b>	<b>4</b>
<b>CHAPTER 17.05 APPLICATIONS AND DEVELOPMENT PERMIT REVIEW PROCEDURES</b>	<b>4</b>
17.05.100 Purpose and applicability of review procedures.	4
17.05.400 Type III procedure.	4
<b>CHAPTER 17.46: THOROUGHFARE COMMERCIAL DISTRICT</b>	<b>7</b>
17.46.010 Purpose.	7
17.46.020 Permitted Uses	7
17.46.040 Height Regulations	8
17.46.050 Area, Width, and Yard Requirements	8
17.46.060 General Requirements	8
17.46.070 Signs and Lighting of Premises	9
17.46.080 Off-Street Parking	10
<b>CHAPTER 17.64 Off-Street Parking and Loading</b>	<b>10</b>
17.64.010 Purpose	10
17.64.030 Off-Street Loading	10
17.64.040 Off-Street Parking Requirements	11
17.64.050 Bicycle Parking	12
<b>CHAPTER 17.75 Design and Development Standards</b>	<b>12</b>
17.75.010 Purpose.	12
17.75.031 General Connectivity, Circulation and Access Standards	13
17.75.035 Commercial Site Design and Development Standards	14
17.75.039 Off-Street Parking Design and Development Standards	15
17.75.042 Commercial Building Design Standards	21

# **CENTRAL POINT MUNICIPAL CODE (CPMC)**

## **CHAPTER 17.05 APPLICATIONS AND DEVELOPMENT PERMIT REVIEW PROCEDURES**

### ***17.05.100 Purpose and applicability of review procedures.***

A. Purpose. The purpose of this chapter is to establish standard decision-making procedures that will enable the city, the applicant, and the public to review development permit applications and participate in the local decision-making process in a timely and effective way consistent with the citizen's involvement element of the comprehensive plan. Table 17.05.1 provides a key to identify the review procedures, applicable regulations, and the approving authority for development permit applications.

B. Applicability of Review Procedures. All development permit applications identified in Table 17.05.1 shall be decided by using the appropriate procedures contained in this chapter. The procedural "type" assigned to each development permit application governs the decision-making process for that permit. There are four "types" of procedures: Type I, II, III, and IV, which are described as follows:

#### **17.05.400 Type III procedure.**

A. Pre-Application Conference. A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Section [17.05.600\(C\)](#).

**Findings of Fact: A Pre-Application Conference was held for a Site Plan and Architectural Review June 14, 2024, and application for this project is subject to a Type III Review.**

#### B. Application Requirements.

1. Application Forms. Type III applications shall be made on forms provided by the community development director or designee for the land development permit requested.
2. Submittal Requirements. When a Type III application is required, it shall include:
  - a. A completed application form with required attachments;
  - b. One copy of a narrative statement (findings and conclusions) that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Note: Additional information may be required under the specific applicable regulations for each approval as referenced in Table 17.05.1;
  - c. The required fee; and
  - d. One set of pre-addressed mailing labels for all real property owners of record who will receive a notice of the application as required in subsection C of this section. The records of the Jackson County assessor's office are the official records for determining ownership. The applicant shall produce the notice list using the most current Jackson

County assessor's real property assessment records to produce the notice list. The city shall mail the notice of application. The failure of a property owner to receive notice as provided in subsection C of this section shall not invalidate such proceedings provided the city can demonstrate by affidavit that such notice was given.

**Findings of Fact: All application requirements are included within the planning submittal packet and payment will be made upon submittal to the City of Central Point.**

C. Notification Requirements.

1. Mailed Notice. The city shall mail the notice of the Type III hearing. Notice of a Type III hearing shall be given by the community development director or designee in the following manner:

a. At least twenty days before the hearing date, or if two or more hearings are allowed, ten days before the first hearing, notice shall be mailed to:

i. The applicant and all owners or contract purchasers of record of the property on the most recent property tax assessment roll that is the subject of the application;

ii. All property owners of record on the most recent property tax assessment roll within two hundred fifty feet of the site, including tenants of a mobile home or manufactured dwelling park;

iii. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city. The city may notify other affected agencies. The city shall notify the county road authority, or ODOT, and rail authority when there is a proposed development abutting or within two hundred fifty feet of an affected transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application;

iv. Owners of airports in the vicinity shall be notified of a proposed zone change in accordance with ORS [227.175](#);

v. Any neighborhood or community organization recognized by the city council and whose boundaries include the property proposed for development;

vi. Any person who submits a written request to receive notice;

vii. At the applicant's discretion, notice may also be provided to the Department of Land

b. Content of Notice. Notice of a Type III hearing shall be mailed per this subsection C and shall contain the following information:

i. An explanation of the nature of the application and the proposed land use or uses that could be authorized for the property;

- ii. The applicable criteria and standards from the zoning and subdivision code and comprehensive plan that apply to the application;
- iii. The street address or other easily understood geographical reference to the subject property;
- iv. The date, time, and location of the public hearing;
- v. A statement that the failure to raise an issue in person, or in writing at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue prior to the close of the final hearing means that an appeal based on that issue cannot be raised at the State Land Use Board of Appeals;
- vi. The name of a city representative to contact and the telephone number and email address where additional information on the application may be obtained;
- vii. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at the city of Central Point City Hall at no cost and that copies shall be provided at a reasonable cost;
- viii. A statement that a copy of the city's staff report and recommendation to the hearings body shall be available for review at no cost at least seven days before the hearing, and that a copy shall be provided on request at a reasonable cost;
- ix. A general explanation of the requirements to submit testimony, and the procedure for conducting public hearings; and
- x. The following notice:
  - Notice to mortgagee, lien holder, vendor, or seller: The City of Central Point Land Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser.

**Findings of Fact: The applicant acknowledges the notification requirements and will work with Central Point Planning as necessary to comply with these mailing notice requirements.**

- c. The community development director or designee shall prepare an affidavit of notice and the affidavit shall be made a part of the file. The affidavit shall state the date that the notice was mailed to the persons who were sent notice.

**Findings of Fact: Applicant acknowledges (c) above and the preparation of an affidavit of notice that will be made part of the file.**

- 2. On-Site Posting. Public notice signs shall be posted on the project site for any Type III land use action according to the following:

a. Contents of Sign. Notice signs shall include a description of the proposed land use action, the date of the public hearing, and the city of Central Point file number for the proposed land use action.

b. Location and Number of Signs. A posted notice sign must be placed on each existing street frontage of the project site. If a frontage is over six hundred feet long, a notice is required for each six hundred feet or fraction thereof. Notice signs must be posted within ten feet of a property line along the street and must be visible to pedestrians and motorists. Notice signs may not be posted in a public right-of-way unless the land use action specifically pertains to a public right-of-way. If posting must occur in the right-of-way, care should be taken to comply with clear vision area requirements as set forth in Section [17.60.120](#).

c. Sign Posting Schedule. The required sign(s) shall be posted not later than twenty-one days prior to the first public hearing date of each body that hears the application. Posted signs shall be removed within ten days following the final decision.

d. Affidavit of On-Site Posting. The director or designee shall prepare an affidavit of on-site notice posting and the affidavit shall be made part of the file. The affidavit shall state the date that the notice was posted, the number of notices posted and the name of the person(s) who posted the notice.

**Findings of Fact: Applicant acknowledges the posting requirements and will comply with this as required by the Planning Director or designee as noted above.**

#### CHAPTER 17.46: THOROUGHFARE COMMERCIAL DISTRICT

##### ***17.46.010 Purpose.***

The C-5 district is intended to provide for commercial and business uses that are most appropriately located along or near major highways or thoroughfares and are largely dependent upon highway visibility and easy vehicular access. (Ord. 1003 (part), 2006; Ord. 1436 §2(part), 1981).

**Findings of Fact: The proposed project and location is within the C-5 District and shall comply with the applicable codes pertaining to this zoning and district as noted in the application submittal.**

##### ***17.46.020 Permitted Uses***

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

C. Retail outlets, including but not limited to:

8. Supermarket

**Findings of Fact: The proposed project is the construction of a Grocery Outlet which is a permitted use under 17.46.020(C)(8) as noted above.**

#### **17.46.040 Height Regulations**

No building or structure shall exceed thirty-five feet in height in the C-5 district. (Ord. 1436 §2(part), 1981).

**Findings of Fact: The proposed new Grocery Outlet does not exceed thirty-five feet in height meeting this criterion.**

#### **17.46.050 Area, Width, and Yard Requirements**

A. Lot Area. No requirements except as necessary to comply with applicable yard and parking and loading requirements.

**Findings of Fact: The subject property consists of 2.24 acres providing adequate space for parking and loading requirements.**

B. Lot Width. The minimum lot width shall be fifty feet.

**Findings of Fact: The subject property exceeds the minimum 50' at +/-185 feet meeting this criterion.**

C. Lot Depth. The minimum lot depth shall be one hundred feet.

**Findings of Fact: The subject property exceeds the minimum 100' at +/-485 feet meeting this criterion.**

D. Front Yard. The front yard shall be a minimum of ten feet and shall be maintained as landscaped open space. When off-street parking is located in the front yard area, the landscaped strip may be reduced to not less than six feet with planning commission approval of the site plan.

**Findings of Fact: The front yard exceeds the 10' minimum with parking located between the store and Biddle Road. The area between the parking lot and road right-of-way is 16.1 feet and is landscaped open space with a bio-swale on the east side.**

E. Side Yard. The side yard shall be a minimum of five feet, except when abutting structures are proposed with a common wall that complies with the Uniform Building Code.

**Findings of Fact: Side yard exceeds the minimum of five feet being proposed at ten feet. No common walls are proposed for this project.**

F. Rear Yard. No rear yard shall be required in the C-5 district except when the rear lot line abuts property in a residential (R) district and then the rear yard shall be a minimum of twenty feet. Where property in the C-5 district is separated from property in a residential (R) district by a public alley or street, no rear yard setback shall be required.

**Findings of Fact: Acknowledged, the property does not abut residential zoned lands.**

G. Lot Coverage. No requirements except as necessary to comply with applicable yard, parking and loading requirements. (Ord. 1436 §2(part), 1981).

**Findings of Fact: Acknowledged**

#### **17.46.060 General Requirements**

A. Uses that are normally permitted in the C-5 district but that are referred to the planning commission for further review, per Section [17.46.030\(26\)](#), will be processed according to application procedures for conditional use permits. No use shall be permitted and no process, equipment or materials shall be used which are found by the planning commission to be harmful to persons living



or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination or glare, or are found to involve any hazard of fire or explosion.

**Findings of Fact: No equipment or materials proposed are harmful to persons living or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration illumination or glare, or any hazard of fire or explosion.**

B. No use shall be permitted and no process, equipment or materials shall be used unless in compliance with all applicable state and federal environmental, health and safety regulations.

**Findings of Fact: All equipment and materials used shall be in compliance with all applicable state and federal environmental, health and safety regulations.**

C. Wherever the side or rear property lines of a parcel in the C-5 district abut parcels in a residential (R) district, a solid wall or fence, vine-covered open fence or compact evergreen hedge six feet in height shall be located on that property line and continuously maintained to ensure effective buffering and visual screening between the two land uses. Where a public alley or street separates the two properties, the barrier or screen shall be placed on the C-5 property at the time of construction and may include driveway and pedestrian openings to the alley or street, as approved by the planning commission.

**Findings of Fact: N/A, no property lines abut a residential (R) district.**

D. Whenever feasible, buildings shall be located toward the rear of the lot with parking toward the street in the front yard area for easy access and to minimize traffic noise at the rear of the property, especially when the rear property line abuts a residential (R) district. (Ord. 1684 §46, 1993; Ord. 1615 §44, 1989; Ord. 1436 §2(part), 1981).

**Findings of Fact: The building is sited at the rear of the lot with parking toward the main street (Biddle Road) for easy access to minimize traffic noise at the rear of the property.**

#### ***17.46.070 Signs and Lighting of Premises***

A. No illuminated sign or lighting standard used for the illumination of premises shall be so designed and installed that its direct rays are toward or parallel to a public street or highway or directed toward any property that lies within a residential (R) district.

**Findings of Fact: No illuminated signs or lighting are designed to direct rays towards or parallel to a public street or directed toward any property that lies within a residential zone. The property does not abut residential zoning.**

B. No red, green or amber lights or illuminated signs may be placed in such a location or position that they could be confused with, or may interfere with, any official traffic control device, traffic signal or directional guide signs.

**Findings of Fact: Applicant acknowledges (B) above and will comply with this standard.**

C. Signs in the C-5 district shall be permitted and designed in accordance with Chapter [15.24](#) and with Section [17.60.110](#). (Ord. 1615 §17, 1989; Ord. 1436 §2(part), 1981).

**Findings of Fact: All proposed signage will be permitted and designed in accordance with Chapter 15.24 and Section 17.60.110.**

### ***17.46.080 Off-Street Parking***

Off-street parking and loading space shall be provided as required in Chapter [17.64](#). (Ord. 1436 §2(part), 1981).

**Findings of Fact: Proposed off-street parking complies with Chapter 17.64 as noted within this Findings of Fact document.**

## **CHAPTER 17.64 Off-Street Parking and Loading**

### ***17.64.010 Purpose***

It is the purpose of this chapter, through the management of off-street parking, loading and bicycle spaces, to manage auto dependence and encourage the use of alternative transportation modes in accordance with the policies and strategies of the city's transportation system plan and state transportation planning rule requirements for climate-friendly and equitable communities.

The requirements and standards set forth in this chapter are intended to ensure the usefulness of parking, loading and bicycle facilities; protect the public safety; and mitigate potential adverse impacts on adjacent land uses. (Ord. 2100 § 9 (Exh. A), 2023; Ord. 1946 (part), 2011; Ord. 1436 §2(part), 1981).

### ***17.64.030 Off-Street Loading***

A. Purpose. The purpose of this section is to provide adequate loading areas for commercial and industrial uses to avoid interference with the operation of adjacent streets.

**Findings of Fact: As shown on the site plan the loading area is placed to avoid interference with the operation of adjacent streets. The recessed loading dock is located away from any streets and on the northwest side of the building away from parking and streets.**

B. Applicability. The minimum off-street loading requirements in Table 17.64.01 shall apply in all zoning districts with commercial and industrial uses that will require the receipt or distribution of materials or merchandise by truck or similar vehicle.

**Findings of Fact: The applicant is proposing one (1) loading dock meeting the loading dock criteria as noted in Table 17.64.01.**

C. Location.

1. Off-street loading facilities shall be located on the same lot or parcel as the structure they are intended to serve.

**Findings of Fact: Loading dock is located on the same lot as the structure it is intended to serve.**

2. Off-street loading areas shall not be placed between a building and street frontage unless the following apply:

a. The site has frontage along a public street on two or more sides;

b. The off-street loading area is not located on the primary building facade.

**Findings of Fact: Loading dock is not placed or proposed between the new building and any street frontages.**

3. Off-street loading areas shall not be within any required front, side or rear yard setback.  
**Findings of Fact:** Proposed loading dock is not within any side or rear setbacks, criterion met.

4. Loading spaces shall not project into any public right-of-way or otherwise interfere with the public use of streets or alleys, sidewalks, or any clear vision triangle.  
**Findings of Fact:** Proposed loading dock does not project into any public right-of-way or otherwise interfere with the public use of streets or alleys, sidewalks, or any clear vision triangle.

**TABLE 17.64.01 OFF-STREET LOADING REQUIREMENTS**

<b>OFFICES, HOTELS AND OTHER NONGOODS HANDLING USES</b>	
Sq. Ft. of Floor Area	No. of Loading Berths Required
0--50,000	0
50,001--200,000	1
Over 200,000	2 plus 1 for each 100,000 sq. ft.

**Findings of Fact:** The proposed project is proposing a recessed loading dock.

**17.64.040 Off-Street Parking Requirements**

A. Minimum and Maximum Vehicle Parking Requirements.

1. The minimum and maximum off-street vehicle parking space requirements are set forth in Table 17.64.02 and shall apply to all development unless modified in accordance with subsection C of this section.

2. Any parking provided to serve a building or use shall include parking spaces accessible to disabled persons in accordance with the Americans with Disabilities Act and subsection D of this section. Accessible spaces provided shall count toward the maximum number of permitted spaces in Table 17.64.02.

3. Land use categories and their associated uses are subject to the definitions in Section [17.08.410](#) unless otherwise noted. For purposes of this chapter, if there is a conflict between the definitions in Section [17.08.410](#) and a defined term elsewhere in the code, Section [17.08.410](#) takes precedence.

TABLE 17.64.02 MINIMUM AND MAXIMUM OFF-STREET PARKING STANDARDS

Land Use Category	Parking Standards (No. spaces per 1,000 square feet of gross floor area unless otherwise noted)	
	Minimum No. Required Spaces	Maximum No. Permitted Spaces
<b>COMMERCIAL USES</b>		
Sales-Oriented	0 spaces	5 spaces

**Findings of Fact:** The maximum allowable parking spaces for 16,400 sf equals 5 spaces per 1,000 sf. Total maximum number of stalls = 82. Applicant is proposing 75 parking spaces which is below the maximum.

**17.64.050 Bicycle Parking**

A. Purpose. The bicycle parking and storage provisions in this section are intended to provide bicycle parking facilities to accommodate and encourage bicycle travel.

B. Bicycle Parking Standards. Bicycle parking shall be provided in accordance with Table 17.64.043, Bicycle Parking Requirements.

TABLE 17.64.043 BICYCLE PARKING REQUIREMENTS

Land Use	Minimum Required
Retail Sales	0.33 spaces per 1,000 sq. ft.

**Findings of Fact:** Required parking spaces in accordance with Table 17.64.043 retail uses must provide 0.33 spaces per 1,000 square feet of floor area, or a total of 5 bicycle spaces. The proposed development provides 6 bicycle spaces meeting this criterion.

**CHAPTER 17.75 Design and Development Standards**

**17.75.010 Purpose.**

The purpose of this chapter is to set forth clear and objective design and development standards to facilitate the submittal and review of development proposals in a manner that implements the goals and policies of the comprehensive plan to maintain and enhance the city's small town environment. The standards set forth in this chapter are considered minimums and may be, on a case by case basis, supplemented by the approving authority as necessary to mitigate impacts on abutting property that are unique to the proposed development. (Ord. 1946 (part), 2011).

### ***17.75.031 General Connectivity, Circulation and Access Standards***

The purpose of this section is to assure that the connectivity and transportation policies of the city's Transportation System Plan are implemented. In achieving the objective of maintaining and enhancing the city's small town environment it is the city's goal to base its development pattern on a general circulation grid using a walkable block system. Blocks may be comprised of public/private street right-of-way, or accessways.

A. Streets and Utilities. The public street and utility standards set forth in the City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details for Public Works Construction shall apply to all development within the city.

**Findings of Fact: No new streets are proposed with this development.**

B. Block Standards. The following block standards apply to all development:

1. Block perimeters shall not exceed two thousand feet measured along the public street right-of-way, or outside edges of accessways, or other acknowledged block boundary as described in subsection (B)(4) of this section.
2. Block lengths shall not exceed six hundred feet between through streets or pedestrian accessways, measured along street right-of-way, or the pedestrian accessway. Block dimensions are measured from right-of-way to right-of-way along street frontages. A block's perimeter is the sum of all sides.
3. Accessways or private/retail streets may be used to meet the block length or perimeter standards of this section, provided they are designed in accordance with this section and are open to the public at all times.
4. The standards for block perimeters and lengths may be modified to the minimum extent necessary based on written findings that compliance with the standards are not reasonably practicable or appropriate due to:
  - a. Topographic constraints;
  - b. Existing development patterns on abutting property which preclude the logical connection of streets or accessways;
  - c. Major public facilities abutting the property such as railroads and freeways;
  - d. Traffic safety concerns;
  - e. Functional and operational needs to create large commercial building(s); or
  - f. Protection of significant natural resources.

**Findings of Fact: Applicant shall comply with access standards where required by City of Central Point.**

C. Driveway and Property Access Standards. Vehicular access to properties shall be located and constructed in accordance with the standards set forth in the City of Central Point Department of Public Works Standard Specifications and Uniform Standard Details for Public Works Construction, Section 320.10.30, Driveway and Property Access.

**Findings of Fact: Acknowledged**

D. Pedestrian Circulation. Attractive access routes for pedestrian travel shall be provided through the public sidewalk system, and where necessary supplemented through the use of pedestrian accessways as required to accomplish the following:

1. Reducing distances between destinations or activity areas such as public sidewalks and building entrances;

**Findings of Fact:** Pedestrian pathways are provided from Biddle Road south along the property and private drive, providing safe access through the property and along the new building.

2. Bridging across barriers and obstacles such as fragmented pathway systems, wide streets, heavy vehicular traffic, and changes in level by connecting pedestrian pathways with clearly marked crossings and inviting sidewalk design;

**Findings of Fact:** Applicant shall provide pedestrian pathways with clearly marked crossing bridging across barriers and obstacles such as fragmented pathway systems, wide streets, and heavy vehicular traffic.

3. Integrating signage and lighting system which offers interest and safety for pedestrians;

**Findings of Fact:** The pedestrian pathways shall be lighted offering safety for pedestrians.

4. Connecting parking areas and destinations with retail streets or pedestrian accessways identified through use of distinctive paving materials, pavement striping, grade separation, or landscaping.

**Findings of Fact:** Pedestrian accessways are identified use of the use of distinctive paving materials and grade separation.

E. Accessways, Pedestrian. Pedestrian accessways may be used to meet the block requirements of subsection B of this section. When used pedestrian accessways shall be developed as illustrated in Figure 17.75.01. All landscaped areas next to pedestrian accessways shall be maintained, or plant materials chosen, to maintain a clear sight zone between three and eight feet from the ground level. Trees shall be planted to provide a fifty percent canopy cover over the accessway.

**Findings of Fact:** Pedestrian accessways are not being proposed to meet block requirements, however all proposed landscape areas next to pedestrian accessway shall be maintained for a clear sight zone between three and eight feet from the ground level.

### ***17.75.035 Commercial Site Design and Development Standards***

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

TABLE 17.75.01 COMMERCIAL SITE DEVELOPMENT STANDARDS

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

**FINDINGS OF FACT:** The proposed Grocery Outlet meets Commercial site development standards as shown in Table 17.75.01. The building height does not exceed 35 feet and does not abut a residential zone.

**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.

**Findings of Fact:** The proposed parking lot provides and is designed with vehicular and pedestrian connections to adjacent sites by way of pedestrian sidewalks and easily accessible vehicle access points on the east and south side of the development to existing streets.

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;
2. Length--Shall reduce column C in Table 17.75.02 by no more than three feet.

**Findings of Fact: Each parking space provides 18' x 9.9' meeting the width and length criterion.**

C. Access. There shall be adequate provision for ingress and egress to all parking spaces.

**Findings of Fact: Adequate access is provided by two ingress/egress driveways off of the east private access road and two ingress/egress driveways off of the south private access road.**

D. Driveways. Driveway width shall be measured at the driveway's narrowest point, including the curb cut. The design and construction of driveways shall be as set forth in the Standard Specifications and Public Works Department Standards and Specifications.

**Findings of Fact: Applicant acknowledges design and construction of driveways and shall follow the standards applicable to private road standards.**

E. Improvement of Parking Spaces.

1. When a concrete curb is used as a wheel stop, it may be placed within the parking space up to two feet from the front of a space. In such cases, the area between the wheel stop and landscaping need not be paved, provided it is maintained with appropriate ground cover, or walkway. In no event shall the placement of wheel stops reduce the minimum landscape or walkway width requirements.

**Findings of Fact: Spaces locate between the concrete curb is provided with areas maintained with appropriate ground cover and/or walkways.**

2. All areas utilized for off-street parking, access and maneuvering of vehicles shall be paved and striped to the standards of the city of Central Point for all-weather use and shall be adequately drained, including prevention of the flow of runoff water across sidewalks or other pedestrian areas. Parking areas shall be designed with painted striping or other approved method of delineating the individual spaces, with the exception of lots containing single-family or two-family dwellings.

**Findings of Fact: All areas utilized for off-street parking, access and maneuvering of vehicles shall be paved and striped to the standards of the city of Central Point and shall be adequately drained, including prevention of the flow of runoff water across sidewalks or other pedestrian areas.**

3. Parking spaces shall be designed so that no backing movements or other maneuvering within a street or other public right-of-way shall be necessary, except for one- and two-family dwellings with frontage on a local street per the city of Central Point street classification map.

**Findings of Fact: No parking spaces are designed that allow backing movements or other maneuvering within a street or other public right-of-way shall be necessary.**

4. Any lighting used to illuminate off-street parking or loading areas shall be so arranged as to direct the light away from adjacent streets or properties.



**Findings of Fact: All lighting used for off-street parking or loading areas are arranged as to direct the light away from adjacent streets and properties.**

5. Service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and a straight line joining the lines through points twenty feet from their intersection.

**Findings of Fact: Acknowledged**

6. Parking spaces located along the outer boundaries of a parking lot shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line, a public street, public sidewalk, or a required landscaping area.

**Findings of Fact: All parking spaces located along the outer boundaries of the parking lot are contained by curbs**

7. Parking, loading, or vehicle maneuvering areas shall not be located within the front yard area or side yard area of a corner lot abutting a street in any residential (R) district, nor within any portion of a street setback area that is required to be landscaped in any commercial (C) or industrial (M) district.

**Findings of Fact: No parking is proposed within any portion of a street setback area that is required to be landscaped.**

8. Except as provided in subsection (E)(3) of this section, all uses, including one- and two-family dwellings on arterial and collector streets, shall provide adequate vehicle turnaround and maneuvering area through the use of aisle extensions and/or turnaround spaces as illustrated in Figure 17.75.04 and 17.75.05. Functionally equivalent turnaround and maneuvering designs may be permitted by the approving authority through the site plan and architectural review process.

**Findings of Fact: Acknowledged**

F. Limitation on Use of Parking Areas. Parking facilities shall be so designed and maintained as not to constitute a nuisance at any time, and shall be used in such a manner that no hazard to persons or property, or unreasonable impediment to traffic, will result.

**Findings of Fact: The parking area is designed and will be maintained as not to constitute a nuisance at any time, and shall be used in such a manner that no hazard to persons or property, or unreasonable impediment to traffic will result.**

G. Parking/Loading Facility and Street Frontage Landscaping and Screening. Parking lot landscaping shall be used to reinforce pedestrian and vehicular circulation, including parking lot entries, pedestrian accessways, and parking aisles. To achieve this objective the following minimum standards shall apply; however, additional landscaping may be recommended during the site plan and architectural review process (Chapter [17.72](#)). All parking lots shall be landscaped in accordance with the following standards:

**Findings of Fact: The proposed parking lot is designed with landscaping in accordance with the following standards as shown on the site plan. The applicant acknowledges that additional landscaping may be recommended during the site plan and architectural review process.**

TABLE 17.75.03

PARKING/LOADING FACILITY PERIMETER AND STREET FRONTAGE LANDSCAPING STANDARDS

Street Frontage	Min. Planting Area Width	Plants Required per 100 Lineal Ft. of Street Frontage	
		Trees	Shrubs
Arterial/Collector	15 ft.	4	20
Local	10 ft.	3	15
Perimeter (Abutting) Land Use		Plants Required per 100 Lineal Ft. of Abutting Property	
Residential	20 ft.	4	20
Commercial	10 ft.	3	15
Industrial	5 ft.	2	10

1. Perimeter and Street Frontage Landscaping Requirements. The perimeter and street frontage for all parking facilities shall be landscaped according to the standards set forth in Table 17.75.03.

**Findings of Fact:** As shown on the Landscape Plan, tree and shrub coverage for street frontage is calculated using 4 trees and 20 shrubs per 100 feet meeting this criterion.

2. Terminal and Interior Islands. For parking lots in excess of ten spaces all rows of parking spaces must provide terminal a minimum of six feet in width to protect parked vehicles, provide visibility, confine traffic to aisles and driveways, and provide a minimum of five feet of space for landscaping. In addition, when ten or more vehicles would be parked side-by-side in an abutting configuration, interior landscaped islands a minimum of eight feet wide must be located within the parking row. Location of interior landscape islands may be consolidated subject to the site plan and architectural review approval as necessary to address site constraints or to provide continuous canopy coverage per subsection I of this section.

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

- a. Where the parking lot is located between the building and the public right-of-way, one tree for every four spaces;
- b. Where the parking lot is located to the side of the building and partially abuts the public right-of-way, one tree for every six spaces;
- c. Where the parking lot is located behind the building and is not visible from the public right-of-way, one tree for every eight spaces.

**Findings of Fact:** The proposed parking does not exceed ten spaces per row. The required landscaping per code section 17.75.039 provides 4 trees and 20 shrubs/100 feet of Arterial Street Frontage ( $4 \times 2.34 = 9.36$  trees and  $20 \times 2.34 = 47$  shrubs minimum) and is met with the proposed landscaping as shown on the plan. Side perimeter landscaping requirement is 3

trees and 15 shrubs/100 ft of abutting property ( $3 \times 4.79 = 14$  trees and  $15 \times 4.79 = 72$  shrubs) as shown on the landscape plan. Parking lot trees=one tree for every 4 parking spaces ( $72 \times 4 = 18$  trees minimum) with the proposed landscape plan meeting this criterion.

Total onsite parking area =  $45,110 \text{ sf} \times 40\% = 18,044 \text{ sf}$  of shade required. Parking lot trees will provide 750 sf of shade per tree at 15-year maturity. Required number of parking lot trees =  $18,044 / 750 = 24$  parking lot trees minimum which is met with the provided landscape plan.

3. Bioswales. The use of bioswales within parking lots is encouraged and may be located within landscape areas subject to site plan and architectural review. The tree planting standards may be reduced in areas dedicated to bioswales subject to site plan and architectural review.

**Findings of Fact:** Bioswales are proposed with this project located at three areas within the project area.

H. Bicycle Parking. The amount of bicycle parking shall be provided in accordance with Section [17.64.050](#) and constructed in accordance with the following standards:

1. Location of Bicycle Parking. Required bicycle parking facilities shall be located on site in well-lit, secure locations within fifty feet of well-used entrances. Bicycle parking shall have direct access to both the public right-of-way and to a main entrance of the principal use. Bicycle parking may also be provided inside a building in suitable, secure and accessible locations. Bicycle parking for multiple uses (such as in a commercial center) may be clustered in one or several locations.

**Findings of Fact:** Proposed bicycle parking is located on site and in a well-lit area, secure within fifty feet of the main entrance. The bicycle parking has direct access to public rights-of-way and is clustered in one area meeting the requirements of (H) above.

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

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

**Findings of Fact:** Surfacing is acknowledged and is provided with this project and shall be maintained in a smooth, durable and well drained condition.

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

**Findings of Fact:** The six proposed bicycle parking spaces are designed at six feet long and two feet wide with minimum overhead clearance of seven feet.

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

**Findings of Fact: Lighting is provided at the bicycle parking area so that the facility is thoroughly illuminated and visible from adjacent sidewalks and motor vehicle parking lots during hours of use.**

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

**Findings of Fact: The proposed bicycle maneuvering area provides a minimum of five feet.**

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

**Findings of Fact: Acknowledged.**

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

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

a. Pedestrian facilities between building entrances and pedestrian facilities in the adjacent public right-of-way; and

b. Buildings built-up to pedestrian facilities;

c. Trees planted along parking lot driveways, per Section [12.36.100\(C\)](#), or a minimum of thirty percent tree canopy coverage over parking areas. The tree spacing and species planted must be designed to maintain a continuous canopy, except when interrupted by driveways, drive aisles and other site design considerations. Developments are not required to provide trees along drive aisles and other site design considerations.

**Findings of Fact: The proposed site plan meets a-c above as shown on the site and landscape plans.**

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

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

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

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

- i. Conformity with the Central Point approved street tree list;
- ii. A shade study indicating the percent of surface pavement shaded at maturity;
- iii. Soils and irrigation installed so as to maximize health and chances for survival, including removal of construction debris and use of structural soils if necessary.

**Findings of Fact: The proposed parking mitigation proposes forty percent of tree canopy within 15 years of planting.**

3. Public buildings may use green technologies in construction to comply with OAR [330-135-0010](#). (Ord. 2100 §§ 22--24, 2023; Ord. 2034 §§14, 15, 2017; Ord. 2014 §11, 2015; Ord. 1946 (part), 2011).

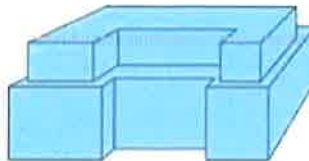
### ***17.75.042 Commercial Building Design Standards***

The following design standards are applicable to development in all commercial zoning districts, and are intended to assure pedestrian scale commercial development that supports and enhances the small town character of the community. All publicly visible buildings shall comply with the standards set forth in this section.

#### **A. Massing, Articulation, Transparency, and Entrances.**

1. Building Massing. The top of the building shall emphasize a distinct profile or outline with elements such as a projecting parapet, cornice, upper level setback, or pitched roofline.

**Findings of Fact: Building is designed with a distinct entry Façade, two entry awnings and a parapet around the entire structure.**



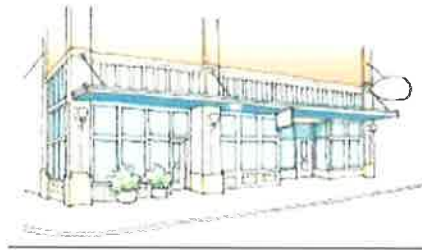
2. Facade Articulation. Facades longer than forty feet and fronts on a street, sidewalk, accessway or residential area shall be divided into small units through the use of articulation, which may include offsets, recesses, staggered walls, stepped walls, pitched or stepped rooflines, overhangs, or other elements of the building's mass.

**Findings of Fact: All proposed facades have vertical columns spaces less than forty feet apart for façade articulation.**

For purposes of complying with the requirements in this subsection "facade articulation" shall consist of a combination of two of the following design features:

- a. Changes in plane with a depth of at least twenty-four inches, either horizontally or vertically, at intervals of not less than twenty feet and not more than forty feet; or
- b. Changes of color, texture, or material, either horizontally or vertically, at intervals of not less than twenty feet and not more than one hundred feet; or
- c. A repeating pattern of wall recesses and projections, such as bays, offsets, reveals or projecting ribs, that has a relief of at least eight inches.

**Findings of Fact: Design features B and C are used for façade articulations. Vertical and horizontal offsets/reveals as well as color changes are proposed.**



3. Pedestrian Entrances. For buildings facing a street, a primary pedestrian entrance shall be provided that is easily visible, or easily accessible, from the street right-of-way, or a pedestrian accessway. To ensure that building entrances are clearly visible and identifiable to pedestrians the principal entry to the building shall be made prominent with canopies or overhangs.

To achieve the objectives of this subsection the design of a primary entrance should incorporate at least three of the following design criteria:

- a. For building facades over two hundred feet in length facing a street or accessway provide two or more public building entrances off the street;
- b. Architectural details such as arches, friezes, tile work, murals, or moldings;
- c. Integral planters or wing walls that incorporate landscape or seating;
- d. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights;
- e. Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets; and
- f. A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or architectural or decorative columns.

**Findings of Fact: The pedestrian entrance/façade includes decorative columns, recessed lighting, two awnings, horizontal reveals and an exterior vestibule.**

4. Transparency. Transparency (glazing) provides interest for the pedestrian, connects the building exterior and interior, puts eyes on the street/parking, promotes reusability, and provides a human-scale element on building facades. The transparency standard applies to a building's principal facade. Projects subject to this section shall meet the following glazing requirements:

- a. A minimum of forty percent of a facade wall face area, the area from finished ground floor elevation to twelve feet above finished floor elevation, shall be comprised of transparent glazing from windows or doors. Reflective or tinted glass or film is not permitted on ground floor facade windows. The forty percent minimum transparency requirement may be reduced through the site plan and architectural review process upon demonstration that a proposed alternative design achieves the transparency objectives. See subsection (A)(4)(e) of this section for alternative design solutions.

**Findings of Fact: The North wall (entry side) is 1336 sf (grade to 12'0") and has roughly 45% transparent glazing from windows and doors.**



- c. If a single-story building has a facade taller than twenty feet, the facade area above fifteen feet is subject to the same window requirement as the second floor requirement in subsection (A)(4)(b) of this section.

**Findings of Fact: The façade and structure is over twenty feet tall. No windows are proposed above 12'0" A.F.F.(See below)**

- d. Any building wall facade that is built up to an interior mid-block property line is not required to have glazing on that facade if no prohibitions and no contractual or legal impediments exist that would prevent a building being constructed on the adjacent property up to the wall of the facade.

**Findings of Fact: Not applicable to this project.**

- e. Where transparent windows are not provided on at least forty percent of a building wall facade (or portions thereof) to meet the intent of this section, at least three of the following elements shall be incorporated:

- i. Masonry (but not flat concrete block);
- ii. Concrete or masonry plinth at wall base;
- iii. Belt courses of a different texture and color;
- iv. Projecting cornice;
- v. Projecting awning/canopy (minimum four-foot overhang);
- vi. Decorative tile work;
- vii. Trellis containing planting;
- viii. Artwork of a scale clearly visible from the associated right-of-way;
- ix. Vertical articulation;
- x. Lighting fixtures;
- xi. Recesses or bays;
- xii. Use of other architectural elements not listed that is demonstrated to meet the intent of this section.

**Findings of Fact: The pedestrian entrance/façade includes decorative columns, recessed lighting, two awnings, horizontal reveals an exterior vestibule, split face cmu and stucco finishes.**

5. Wall Faces. As used in this section there are three types of wall faces. To ensure that buildings do not display unembellished walls visible from a public street or residential area the following standards are imposed:

- a. Facade Wall Face. Facade wall faces greater than forty feet in length shall be divided into small units through the use of articulation, which may include offsets, recesses, staggered walls, stepped walls, pitched or stepped rooflines, overhangs, or other elements of the building's mass.

**Findings of Fact: All wall faces facing public streets or residential property include decorative columns, or other decorative features spaced no further than forty feet on center.**

For purposes of complying with the requirements in this subsection facade wall faces shall consist of a combination of two of the following design features:

- i. Changes in plane with a depth of at least twenty-four inches, either horizontally or vertically, at intervals of not less than twenty feet and not more than forty feet; or
- ii. Changes of color, texture, or material, either horizontally or vertically, at intervals of not less than twenty feet and not more than one hundred feet; or
- iii. A repeating pattern of wall recesses and projections, such as bays, offsets, reveals or projecting ribs, that has a relief of at least eight inches at intervals of not less than twenty feet and not more than forty feet.

**Findings of Fact: Color/material changes and projections are the main design features utilized.**

b. Building Wall Face. As applicable each building wall face shall be given architectural treatment to meet the intent of this section by using three or more of the following:

- i. Varying rooflines with one foot or greater changes of height at least every forty feet;
- ii. Transparent windows that comprise at least forty percent of the visible facade;
- iii. Secondary entrances that include glazing and landscape treatment;
- iv. Balconies;
- v. Awnings/canopies;
- vi. Planted trellises;



- vii. Projecting cornices at least twelve inches in height;
- viii. Variation in building form and materials demonstrated to meet the intent of this section.

**Findings of Fact: A signage façade (where occurs), a CMU enclosure (where occurs), awnings and decorative columns are used as architectural features.**

- c. Other Wall Faces. Other wall faces abutting residential areas shall comply with the requirements for building wall faces. Other wall faces not abutting residential areas are exempt from this section.

**Findings of Fact: No wall faces abut residential areas.**

6. Screening of Service Areas and Rooftop Equipment. Publicly visible service areas, loading zones, waste disposal, storage areas, and rooftop equipment (mechanical and communications) shall be fully screened from the ground level of nearby streets and residential areas within two hundred feet; the following standards apply:

- a. Service Areas.
  - i. A six-foot masonry enclosure, decorative metal fence enclosure, a wood enclosure, or other approved materials complementary to adjacent buildings; or
  - ii. A six-foot solid hedge or other plant material screening as approved.

**Findings of Fact: Rooftop equipment will be screened by the parapet. The trash and recycling will be enclosed with 6+ foot tall CMU walls and gates.**

- b. Rooftop Equipment.

- i. Mechanical equipment shall be screened by extending parapet walls or other roof forms that are integrated with the architecture of the building. Painting of rooftop equipment or erecting fences are not acceptable methods of screening.
- ii. Rooftop-mounted voice/data transmission equipment shall be integrated with the design of the roof, rather than being simply attached to the roof-deck.

**Findings of Fact: Rooftop equipment will be screened by the parapet.**