



**CITY OF CENTRAL POINT  
PLANNING COMMISSION AGENDA  
May 2, 2017 - 6:00 p.m.**

**I. MEETING CALLED TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

Planning Commission members, Mike Oliver (chair), Tom Van Voorhees, Elizabeth Powell, Craig Nelson Sr., Kay Harrison, Amy Moore, John Whiting.

**IV. CORRESPONDENCE**

**V. MINUTES**

Review and approval of March 7, 2017 meeting minutes.

**VI. PUBLIC APPEARANCES**

**VII. BUSINESS**

A.

**VIII. DISCUSSION**

**A. Consideration of Draft Housing Element Policies, City of Central Point Comprehensive Plan**

**B. Wild and Dangerous Animals**

**IX. ADMINISTRATIVE REVIEWS**

**X. MISCELLANEOUS**

**XI. ADJOURNMENT**



**City of Central Point  
Planning Commission Minutes  
March 7, 2017**

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

**II. ROLL CALL**

Commissioners, Mike Oliver, Craig Nelson, Kay Harrison, Amy Moore and John Whiting were present. Also in attendance were: Tom Humphrey, Community Development Director, Stephanie Holtey, Community Planner, Molly Bradley, Community Planner and Karin Skelton, Planning Secretary.

**PLEDGE OF ALLEGIENCE**

**III. CORRESPONDENCE**

**IV. MINUTES**

Kay Harrison made a motion to approve the minutes of the February 7, 2017 Planning Commission Meeting. Amy Moore seconded the motion. ROLL CALL: Amy Moore, yes; Kay Harrison, yes; Craig Nelson, yes; John Whiting, yes; Motion passed.

**V. PUBLIC APPEARANCES**

None

**VI. BUSINESS**

**A. Public Hearing to consider miscellaneous amendments to various sections of the Central Point Municipal Code; The purpose of the amendments is to clarify administration of current policies and standards as they relate to Flood Damage Prevention, the TOD and TOD Design, off-street parking, off-street access ways, residential zoning flexibility and changes in commercial zones resulting from voter preference about medical marijuana dispensaries**

Mike Oliver read the rules for the legislative hearing. Tom Humphrey stated that the miscellaneous amendments to the code were for the purpose of clarification and consistency. He reviewed each of the proposed amendments.

**Chapters 8.24 Flood Damage Prevention.** This revises Development Permit Review Types. Type I is administrative relating to routine floodplain development projects. Type II is administrative relating to applications for minor partitions, floodway development proposals (except Type I) CLOMR required, uncommon streambank and variances.

**17.08 Definitions.** Alley: the revisions distinguish alleys from streets and the different standards that apply to each, Frontage: change removes unnecessary reference to highway. Dwelling, Single Family: attached and detached Single Family Dwellings are better defined for TOD and R-1 zoning district consistency. Dwelling, Multiple Family: Multi-family units are defined for the purpose of the Housing Element update.

The commissioners asked for clarification of tiny homes and how they would be defined. Mr. Humphrey responded that it should be addressed in the Housing Element.

**17.20.050 Density, lot area, etc.** Reduces the minimum lot area in the R-1-6 residential single family district from 5,000 square feet to 4,500 square feet to match the standard single family minimum in the TOD-LMR district. This creates more flexibility in older parts of town to redevelop narrow and 'through' lots with single family uses.

**17.24-.050 R-2, Residential Two-Family District.** Allows applicant the discretion between using R-2 or TOD-LMR development standards with the exception of density requirements. It revises changes made previously in 2013.

**17.28-.050 R-3, Residential Multiple-Family District.** Allows applicant the discretion between using R-3 or TOD-MMR development standards with the exception of density requirements. It revises changes made previously in 2008.

The commissioners agreed that there was great benefit to the flexibility and design standards.

**17.37.030(E) C-2(M) Commercial-Medical District.** Removes medical marijuana dispensaries as a conditional use in this zoning district. Implements prohibition resulting from November 8, 2016 election results in which residents decided that the City should not have dispensaries within the city limits.

**17.44.030.A,20 C-4, Tourist and Office-Professional District.** Removes Medical Marijuana Dispensaries as a conditional use in this zoning district. Implements prohibition resulting from November 8, 2016 election results in which residents decided that the City should not have dispensaries within the city limits.

**17.46.030.29 C-5, Thoroughfare Commercial District.** Removes Medical Marijuana Dispensaries as a conditional use in this zoning district. Implements prohibition resulting from November 8, 2016 election results in which residents decided that the City should not have dispensaries within the city limits.

**City of Central Point  
Planning Commission Minutes  
March 7, 2017**

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**CONSIDERATION OF DRAFT HOUSING ELEMENT POLICIES, CITY OF CENTRAL  
POINT COMPREHENSIVE PLAN**





## STAFF REPORT



Planning Department

Tom Humphrey, AICP,  
Community Development Director/  
Assistant City Administrator

## STAFF REPORT

May 2, 2017

### **AGENDA ITEM V-B**

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Consideration of Draft Housing Element Policies, City of Central Point Comprehensive Plan.  
(Applicant: City of Central Point)

### **STAFF SOURCE:**

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Don Burt, Planning Manager

### **BACKGROUND:**

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The City has completed the inventory and needs analysis component of the Housing Element, which was previously presented to the Planning Commission. At the May 2, 2017 meeting the proposed Goals and Policies of the Housing Element (Attachment "A") will be discussed. On April 11, 2017 the Citizens Advisory Committee discussed the draft policies and forwarded a recommendation to the City Council and Planning Commission to accept.

Before discussion of the Goals and Policies staff will provide a brief summary of the housing analysis as background for the goals and policies discussion. The Housing Element is scheduled for a public hearing in June.

### **ISSUES:**

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As previously discussed the primary issue in preparing the Housing Element is the minimal projected need for vacant residential acreage. The low demand for residential acreage is a function of the population projections prepared by Portland State University Population Research Center, per HB2253. It has been previously noted that as enacted by law HB2253 is required to be updated every four years. If the growth in population accelerates, per the updated population projections, the City can adjust upward its vacant residential land needs.

### **ATTACHMENTS:**

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Attachment "A" – Housing Element Goals and Policies

### **ACTION:**

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Consideration of the Goals and Policies for the Housing Element.

### **RECOMMENDATION:**

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Discuss and modify as appropriate and direct staff to incorporate in the draft Housing Element.

## ATTACHMENT "A" – HOUSING ELEMENT GOALS AND POLICIES

Goal 1. To provide an adequate supply of housing to meet the diverse needs of the City's current and projected households.

Policy 1.1. Continue to support new residential development at minimum residential densities.

Policy 1.2. Develop a Housing Implementation Plan that is regularly updated based current market conditions.

Policy 1.3. Provide an efficient and consistent development review process.

Policy 1.4. Work with regional partners to develop and implement measure that reduce upfront housing development costs.

Policy 1.5. Support UGB expansions and annexations that can be efficiently provided with urban services and that will in a timely manner meet the City's housing needs.

Policy 1.6. When properly mitigated support higher density residential development within the Downtown and older surrounding residential area, capitalizing on availability of existing infrastructure and supporting revitalization efforts.

Goal 2. To encourage the development and preservation of fair and affordable housing.

Policy 1.1. Obtain local, state, and federal financial resources and incentives that support the development and preservation of affordable housing.

Policy 1.2. Through a Housing Implementation Plan explore and promote programs and incentives that support new affordable housing.

Policy 1.3. Support and participate in the Greater Bear Creek Valley Regional Plan's program addressing regional housing strategies, particularly as they apply to affordable housing

Policy 1.4. Support regional efforts addressing homelessness and housing, medical and social services to special need households.

Goal 3. To maintain a timely supply of vacant residential acres sufficient to accommodate development of new housing to serve the City's projected population.

Policy 1.1. Provide a sufficient inventory of residential planned and zoned vacant land to meet projected demand in terms of density, tenure, unit size, accessibility, and cost.

Policy 1.2. The City's new vacant residential land use mix shall support an average density of not less than 6.9 dwelling units per gross.

## ATTACHMENT "A" – HOUSING ELEMENT GOALS AND POLICIES

Policy 1.3. Update the Housing Element's vacant acreage needs every four-years consistent with the PSU Population Research Centers update of population.

Policy 1.4. To avoid speculation the City shall, when expanding the UGB establish procedures that give priority to lands that will be developed in a timely manner.

Goal 4. To ensure that a variety of housing will be provided in the City in terms of location, type, price and tenure, according to the projected needs of the population.

Policy 1.1. Residential land use designations on the General Land Use Plan and the Zoning Map shall be compliant with the residential land use needs identified in the Housing Element.

Policy 1.2. Based on the findings of the Housing Implementation Plan incentivize housing types that are needed but not being provided in adequate numbers by the market forces.

Policy 1.3. In larger residential developments encourage a mix of densities and housing types to accommodate a variety of households based on age and income levels.

Policy 1.4. Support programs that encourage the ability of older residents to age in place by making existing housing more age friendly and accessible.

Goal 5. To ensure that municipal development procedures and standards are not unreasonable impediments to the provision of affordable housing.

Policy 1.1. As part of a Housing Implementation Plan periodically evaluate development procedures and standards for compliance with the goals of this Housing Element and modify as appropriate.

Goal 6. To develop and maintain a Housing Implementation Plan that includes programs that monitor and address the housing affordability needs of the City's low- and moderate-income households.

Policy 1.1. Support collaborative partnerships with non-profit organizations, affordable housing builders, and for-profit developers to gain greater access to various sources of affordable housing funds.

Policy 1.2. Support and participate in the Greater Bear Creek Valley Regional Plan's program addressing regional housing strategies.

Policy 1.3. Address the special housing needs of seniors through the provision of affordable housing and housing related services.

## ATTACHMENT "A" – HOUSING ELEMENT GOALS AND POLICIES

Goal 7. To assure that residential development standards encourage and support attractive and health neighborhoods.

Policy 1.1. Encourage quality design throughout the City that acknowledges neighborhood character, provides balanced connectivity (multi-modal), and integrates recreational and open space opportunities.

Policy 1.2. Provide flexible development standards for projects that exceed minimum standards for natural resource protection, open space, public gathering places, and energy efficiency.

Policy 1.3. Where appropriate encourage mixed uses at the neighborhood level that enhance the character and function of the neighborhood and reduce impacts on the City's transportation system.

Policy 1.4. Support minimum parking standards for multiple family development served by public transit.

Policy 1.5. Maintain and enforce Chapter 17.71 Agricultural Mitigation ensuring that all new residential development along the periphery of the Urban Growth Boundary includes an adequate buffer between the urban uses and abutting agricultural uses on lands zoned Exclusive Farm Use (EFU).



**WILD AND DANGEROUS ANIMALS**







May 2, 2017

To: Planning Commission

From: Stephanie Holtey, Community Planner II  
Tom Humphrey, Community Development Director

Re: Wild and Dangerous Animals

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**Purpose:**

Evaluate CPMC 6.01.010 definition (Attachment "A") for "Wild or Dangerous Animal" to determine if large snakes, such as pythons and boa constrictors are wild or dangerous and if code amendments are necessary to be more specific so that the Wild and Dangerous Animal provisions in CPMC 6.10 are enforceable (Attachment "B"). The Planning Commission's recommended interpretation will be forwarded to the City Council for consideration.

**Background:**

The City recently received an inquiry about having boa constrictors in the City. Specifically, the resident requested information about having a home occupation to sell offspring from his pet snakes. In evaluating the resident's inquiry, the city determined that a home occupation would not be approved because keeping animals for commercial purposes is prohibited per CPMC 6.06.010.

The code also prohibits "wild or dangerous animals," which are defined in CPMC 6.01.010 as:

*"...Any animal, which because of its size, vicious nature, poisonous bite or sting, or other characteristics would constitute a danger to human life or property if not kept or maintained under the immediate control of the owner, which behaves in such a manner that the owner knows or should reasonably know that the animal has a predisposition to attack or bite persons or other animals without provocation."*

After conferring with the City Attorney, this code language does not provide for a black and white interpretation relative to snakes, such as non-venomous constrictor snakes including boa constrictors and pythons. A code interpretation is necessary to determine:

1. If snakes, such as boa constrictors and pythons, are considered "wild or dangerous animals" per the code's definition.
2. What characteristics and thresholds form the basis of this determination?
3. How are snakes different than other species, such as dogs, that pose similar threats?
4. Are code amendments necessary to add clarity and greater specificity for regulatory purposes?

**Discussion:**

The Planning Commission is being asked to discuss this issue relative to constrictor snakes, including boa constrictors and pythons, and to forward a recommended interpretation and/or action to the City

**Chapter 6.01  
DEFINITIONS**

Sections:

**6.01.010 Definitions.**

**6.01.010 Definitions.**

For purposes of this title, the following definitions apply:

"Animal" means any mammal, reptile, amphibian, insect or bird.

"Animal at large" means any animal, excluding cats, off the premises of its owner and not under complete physical control of its owner or other person.

"Owner" means any person having a property right in the animal or who harbors the animal or who has it in his or her care, custody, or control or knowingly permits the animal to remain on or about his or her premises.

"Wild or dangerous animal" means any animal which, because of its size, vicious nature, poisonous bite or sting, or other characteristics, would constitute a danger to human life or property if not kept or maintained under the immediate control of the owner, which behaves in such a manner that the owner knows or should reasonably know that the animal has a predisposition to attack or bite persons or other animals without provocation. (Ord. 1901 §2(part), 2007).

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**Chapter 6.10  
WILD OR DANGEROUS ANIMALS**

Sections:

**6.10.010 Wild or dangerous animals prohibited.**

**6.10.030 Exemptions.**

**6.10.010 Wild or dangerous animals prohibited.**

A. Except as provided in this chapter, no person shall keep or maintain any wild or dangerous animal within the city.

B. The keeping or maintenance of any wild or dangerous animal is declared to be a public nuisance and may be abated in conformity with the provisions of this title and the provisions of Chapter 8.04 pertaining to nuisances. (Ord. 1901 §2(part), 2007).

**6.10.030 Exemptions.**

A. The prohibition set forth in Section 6.10.010 shall not apply to the keeping of wild or dangerous animals in the following cases:

1. The keeping of such animals in zoos, bona fide educational or medical institutions, museums or any other place where they are kept as live specimens for the public to view or for the purposes of instruction or study.
2. The keeping of such animals for exhibition to the public of such animals by a circus, carnival or other exhibit or show.
3. The keeping of such animals in a bona fide, licensed veterinary hospital for treatment. (Ord. 1901 §2(part), 2007).

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