



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

August 15, 2006

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Central Point Plan Amendment
DLCD File Number 001-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: August 29, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Lisa Morgan, City of Central Point

<paa> ya/



2 Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

DEPT OF
AUG 10 2006
LAND CONSERVATION
AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: City of Central Point Local file number: CP-06-01-11

Date of Adoption: 7/27/2006 Date Mailed: 8/04/2006

Date original Notice of Proposed Amendment was mailed to DLCD: 3/23/2006 (Revised Dates)
4/17/2006 (Original mailing date)

- | | |
|---|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input checked="" type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: _____ |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amendment to the zoning ordinance addressing: 1) Definition and allowed use of "shopping centers" and "large retail establishments"; 2) Regulations allowing accessory dwelling units; and 3) Regulations modifying the minimum lot size for a flag lot; 4) Regulations modifying the site plan review process; and 5) Deletion of the C-2 and C-3 zoning districts

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

Postponing Item #4 listed above regarding regulations modifying the site plan review process.

Plan Map Changed from: N/A to: N/A

Zone Map Changed from: N/A to: N/A

Location: City Wide Acres Involved: _____

Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: _____

Was an Exception Adopted? YES NO

DLCD File No.: 001-06(14944)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

Affected State or Federal Agencies, Local Governments or Special Districts:

City of Central Point, DLCD

Local Contact: Lisa Morgan Phone: (541) 423-1047 Extension: _____

Address: 140 S. Third Street City: Central Point

Zip Code + 4: 97502 - Email Address: lisame.ci.central-point.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 1880

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE BY
MODIFYING CHAPTER 17.08.010

WHEREAS, the changes in this ordinance are intended to bring the City's zoning code into conformance with the procedures set out in state law and nationally recognized standards, and

WHEREAS, the City's land use procedures currently contain requirements that are outdated and prevent the City from acting efficiently and flexibly to best serve the interests of the City's residents, and

WHEREAS, the changes contained within the new ordinance will allow the City to act in accordance with best practices in efficiently processing and considering land use matters, and

WHEREAS, it is in the best interest of the residents of Central Point that the City's land use procedures be improved and the immediate application of the revised City procedures will be advantageous to the population as a whole; and

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 1" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 1" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO HEREBY ORDAIN
CHANGES TO SECTION 17.08.010 AS SPECIFICALLY SET FORTH IN EXHIBIT "A -
AMENDMENT NO. 1")

Passed by the Council and signed by me in authentication of its passage this 27 day of July, 2006.

ATTEST: *Diana Gray*
City Recorder

Dick Halley for
Mayor Hank Williams

Approved by me this 28th day of July, 2006.

Dick Halley for
Mayor Hank Williams

EXHIBIT "A"

City of Central Point
Text Amendments to Chapters 16 and 17 of the Municipal Code
July 27, 2006

AMENDMENT 1 CHAPTER 17.08 DEFINITIONS

Section 17.08.010 Definitions, Specific

Accessory Dwelling Unit (ADU). "Accessory Dwelling Unit," means an attached or detached unit that provides complete independent living facilities and that serves as an accessory use to a primary single dwelling unit. Accessory Dwelling Units differ from guest quarters, which do not provide independent living facilities.

Anchor Tenant. "Anchor Tenant" means a Large Retail Establishment such as a national or regional chain store strategically placed in a shopping center so as to generate the most customers for all of the stores located in the Shopping Center.

Retail Establishment, Large. A retail establishment (General Merchandise Sales), a retail grocery establishment (Food and Beverage Sales), or an establishment with a combination of both uses, with a floor area of thirty thousand (30,000) square feet or greater, which includes gross floor area, outdoor storage areas, and any outside area which provides associated services to the public, such as, but not limited to, outdoor merchandise display, snack bars, etc. The floor area does not include motor vehicle parking or loading areas.

For the purposes of determining the applicability of the thirty thousand (30,000) square foot floor area, the aggregate square footage of all adjacent stores, which share checkstands, management, a controlling ownership interest, and storage areas, shall be considered one establishment, e.g., a plant nursery associated with a general merchandise store, such as a home improvement store shall be considered one establishment.

Shopping Center. "Shopping Center" means a group of commercial establishments planned, developed, owned or managed as a unit; related in location, size and types of shops to the trade area it serves; and including an overall landscaping and parking plan and other design elements intended to tie the individual stores into the total "center" concept.

Shopping Center Anchor Tenant Ratio. "Shopping Center Anchor Tenant Ratio" is the share of a shopping center's total gross floor area that is attributable to its anchor tenants.

Shopping Center, Community. "Shopping Center, Community" is a shopping center with 2 or more anchor tenants and having a total gross floor area of not less than 100,000 sq. ft. and not more than 300,000 sq. ft. with a maximum anchor tenant ratio of 50%.

Shopping Center, Neighborhood. "Shopping Center, Neighborhood" is a shopping center designed to provide convenience shopping for the day-to-day needs of consumers in the immediate neighborhood and having one (1) or more anchor tenants and having a total gross floor area of not less than 50,000 sq. ft. and not more than 80,000 sq. ft. with a maximum anchor tenant ratio of 60%.

Shopping Center, Regional. "Shopping Center, Regional" is a shopping center with minimum of 3 anchor tenants and having a total gross floor area of not less than 300,000 sq. ft. with a maximum anchor tenant ratio of 60%.

ORDINANCE NO. 1881

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE BY
MODIFYING CHAPTER 17.32.

WHEREAS, the changes in this ordinance are intended to bring the City's zoning code into conformance with the procedures set out in state law and nationally recognized standards, and

WHEREAS, the City's land use procedures currently contain requirements that are outdated and prevent the City from acting efficiently and flexibly to best serve the interests of the City's residents, and

WHEREAS, the changes contained within the new ordinance will allow the City to act in accordance with best practices in efficiently processing and considering land use matters, and

WHEREAS, it is in the best interest of the residents of Central Point that the City's land use procedures be improved and the immediate application of the revised City procedures will be advantageous to the population as a whole;

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 2" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO HEREBY ORDAIN
CHANGES TO SECTION 17.32 AS SPECIFICALLY SET FORTH IN EXHIBIT "A -
AMENDMENT NO. 2")

Passed by the Council and signed by me in authentication of its passage this 27th day of
July, 2006.

Dick Halley for
Mayor Hank Williams

ATTEST:

Deanna Lopez
City Recorder

Approved by me this 28th day of July, 2006.

Dick Halley for
Mayor Hank Williams

EXHIBIT "A"

**City of Central Point
Text Amendments to Chapters 16 and 17 of the Municipal Code
July 27, 2006**

AMENDMENT 2

CHAPTER 17.32 C-N, NEIGHBORHOOD COMMERCIAL DISTRICT

Section 17.32.010 Purpose. The neighborhood commercial (C-N) district is intended to provide locations for neighborhood shopping centers to serve the day-to-day retail and service needs of adjacent neighborhoods, and to implement the Central Point comprehensive plan. The C-N district locations should be away from the downtown business district and central to or on the periphery of residential areas for ease of access. The C-N district provides a way to reduce automobile trips by allowing businesses within walking distance of many homes. (Ord. 1709 §1(part), 1994)

Section 17.32.020 Permitted Uses. The following permitted uses and their accessory uses are permitted outright, subject to compliance with all applicable municipal, state, and federal environmental, health, and safety regulations as well as the requirements for site plans in Section 17.72.

- A. Professional and financial offices and personal service establishments other than those related to health care;
- B. Retail stores, shops and offices supplying commodities or performing services other than vehicle and fuel sales;
- C. Eating and drinking establishments that do not possess a liquor license; the plans in Section 17.72.
- D. Desktop publishing, xerography, copy centers;
- E. Temporary tree sales, from November 1st to January 1st;
- F. Public and quasi-public utility and service buildings, structures and uses. (Ord. 1709 §1(part), 1994).
- G. Neighborhood Shopping Centers, which may include any of the permitted uses in this section.

ORDINANCE NO. 1882

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE BY
MODIFYING CHAPTER 17.44.

WHEREAS, the changes in this ordinance are intended to bring the City's zoning code into conformance with the procedures set out in state law and nationally recognized standards, and

WHEREAS, the City's land use procedures currently contain requirements that are outdated and prevent the City from acting efficiently and flexibly to best serve the interests of the City's residents, and

WHEREAS, the changes contained within the new ordinance will allow the City to act in accordance with best practices in efficiently processing and considering land use matters, and

WHEREAS, it is in the best interest of the residents of Central Point that the City's land use procedures be improved and the immediate application of the revised City procedures will be advantageous to the population as a whole;

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 3" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO HEREBY ORDAIN
CHANGES TO SECTION 17.44 AS SPECIFICALLY SET FORTH IN EXHIBIT "A -
AMENDMENT NO. 3")

Passed by the Council and signed by me in authentication of its passage this 27th day of
July, 2006.

Dick Halley for
Mayor Hank Williams

ATTEST:

Deanna Lopez
City Recorder

Approved by me this 28th day of July, 2006.

Dick Halley for
Mayor Hank Williams

EXHIBIT "A"

City of Central Point
Text Amendments to Chapters 16 and 17 of the Municipal Code
July 27, 2006

AMENDMENT 3

CHAPTER 17.44 C-4, TOURIST AND OFFICE PROFESSIONAL DISTRICT

Section 17.44.010. Purpose. The C-4 district is intended to provide for the development of concentrated tourist commercial and entertainment facilities to serve both local residents and the traveling public, and also for the development of compatible major professional office facilities. C-4 development should occur at locations that will maximize ease of access and visibility from the Interstate 5 freeway and major arterial streets and to be convenient to the users of Expo Park, the airport, and downtown. (Ord. 1436(2)(part), 1981)

Section 17.44.020 Permitted Uses. The following uses are permitted in the C-4 district:

- A Professional and financial, including:
 - 1. Banks and similar financial institutions,
 - 2. Accounting and booking offices,
 - 3. Real estate offices,
 - 4. Insurance company offices,
 - 5. Legal services,
 - 6. Architecture and engineering services,
 - 7. Professional photo or art studio,
 - 8. Counseling services,
 - 9. Corporate or governmental offices;

- B Tourist and entertainment – related facilities, including:
 - 1. Convenience market; meat, poultry, fish and seafood sales; fruit and beverage stands,
 - 2. Drugstore,
 - 3. Automobile service station; automobile and recreational vehicle parts sales and repairs; and truck rentals,
 - 4. Motel and hotel,
 - 5. Walk-in movie theater,
 - 6. Bowling alley,
 - 7. Photo and art galleries,
 - 8. Photo processing pickup station,
 - 9. Travel agency,
 - 10. Barber and beauty shops,
 - 11. Sit-down restaurant or dinner house (including alcohol),
 - 12. Cocktail lounges and clubs serving alcoholic beverages,

13. Tavern with beer only,
14. Commercial parking lot,
15. Community shopping centers which may include any of the permitted uses in this section and may also include the following uses:
 - a. Supermarkets;
 - b. Department stores;
 - c. Sporting goods;
 - d. Books and stationary;
 - e. Gifts, notions and variety;
 - f. Florist;
 - g. Leather goods and luggage;
 - h. Pet sales and related supplies;
 - i. Photographic supplies;
 - j. Health food;
 - k. Self-service laundry;
 - l. Antique shop;
 - m. Delicatessen;
 - n. Pastry and confectionary;
 - o. General apparel;
 - p. Shoes and boots;
 - q. Specialty apparel;
 - r. Jewelry;
 - s. Clocks, watches, sales and service;
 - t. Bakery, retail only;
 - u. Bicycle shop;
 - v. Audio, video, electronic sales and service;
 - w. Printing, lithography and publishing.
16. Mobil food vendors,
17. State-regulated package liquor stores,
18. Other uses not specified in this or any other district, if the planning commission finds them to be similar to the uses listed above and compatible with other permitted uses and with the intent of the C-4 district as provided in Section 16.60.140.
19. Large Retail Establishment 80,000 sq. ft. or less as defined in Section 17.08.010, Retail Establishments, Large.

ORDINANCE NO. 1883

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE BY
MODIFYING CHAPTER 17.46.

WHEREAS, the changes in this ordinance are intended to bring the City's zoning code into conformance with the procedures set out in state law and nationally recognized standards, and

WHEREAS, the City's land use procedures currently contain requirements that are outdated and prevent the City from acting efficiently and flexibly to best serve the interests of the City's residents, and

WHEREAS, the changes contained within the new ordinance will allow the City to act in accordance with best practices in efficiently processing and considering land use matters, and

WHEREAS, it is in the best interest of the residents of Central Point that the City's land use procedures be improved and the immediate application of the revised City procedures will be advantageous to the population as a whole;

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 4" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO HEREBY ORDAIN
CHANGES TO SECTION 17.46 AS SPECIFICALLY SET FORTH IN EXHIBIT "A -
AMENDMENT NO. 4")

Passed by the Council and signed by me in authentication of its passage this 27 day of
July, 2006.

Dick Halley for
Mayor Hank Williams

ATTEST:

Dorinda Lopez
City Recorder

Approved by me this 28th day of July, 2006.

Dick Halley for
Mayor Hank Williams

EXHIBIT "A"

City of Central Point
Text Amendments to Chapters 16 and 17 of the Municipal Code
July 27, 2006

AMENDMENT 4

CHAPTER 17.46 C-5, THOROUGHFARE COMMERCIAL DISTRICT

Section 17.46.010 Purpose. The C-5 district is intended to provide 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. 1436(2)(part), 1981)

Section 17.46.020 Permitted Uses. The following uses are permitted in the C-5 district:

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

- B. Personal services, including:
 - 1. Self-service laundry and laundry pickup stations,
 - 2. Photo processing pickup stations,
 - 3. Photo processing laboratories,
 - 4. Small appliance service,
 - 5. Printing, lithography and publishing,
 - 6. Locksmith,
 - 7. Taxicab dispatch office,
 - 8. Ambulance/emergency services,
 - 9. Art and music schools,
 - 10. Business/vocational schools,
 - 11. Physical fitness/conditioning center, martial arts schools,
 - 12. Carwash,
 - 13. Automobile and truck service stations and repair shops,
 - 14. Auto and furniture upholstery shops,
 - 15. Veterinary clinics (within enclosed structure),
 - 16. Barber shops,
 - 17. Beauty salons,
 - 18. Manicure salons;

- C. Retail outlets, including:
 - 1. Auto and truck sales (new and used),
 - 2. Tire sales and service,

3. Glass and mirror sales and service,
4. Wallcovering, floorcovering, curtains, etc.,
5. Major appliances sales and service,
6. Hardware sales,
7. Monument sales,
8. Supermarket,
9. Convenience market,
10. Drugstore,
11. Feed, seed and fuel (within enclosed structure),
12. Electrical and plumbing supplies,
13. Heating and air –conditioning equipment,
14. Stone, tile and masonry supplies,
15. Nursery and gardening materials and supplies,
16. Antique shop,
17. Art and engineering supplies,
18. Pawnshop,
19. Sit-down restaurants, including service of beer, wine and liquor,
20. Drive-in fast food establishments,
21. Tavern, beer sales only,
22. Public/quasi-public utilities and services,
23. Florist sales,
24. Pet sales,
25. General apparel,
26. Furniture sales, including used furniture,
27. Sporting goods sales, including firearms,
28. State-regulated package liquor stores,
29. Community shopping centers which may include any of the permitted uses in this section and the C-4 district.
30. Large Retail Establishment 80,000 sq. ft. or less as defined in Section 17.08.010, Retail Establishments, Large.

D. Tourist/recreational – oriented uses, including:

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

E. Commercial parking lots:

1. Recreational vehicle storage lots;

F. Light fabrication, including:

1. Light fabrication, assembly, packaging, mail-order sales and wholesale sales of consumer goods, and
2. Light fabrication and repair shops such as blacksmith, cabinet, electrical motor, heating, machine, sheetmetal, signs, stone monuments, upholstery and welding;

- G. Other uses not specified in this or any other district, if the planning commission finds them to be similar to the uses listed above and compatible with other permitted uses and with the intent of the C-5 district. (Ord.1736(3), 1996: Ord.1727(3), 1995: Ord.1721(1), 1995: Ord.1701(1), 1994: Ord.1698(1), 1994: Ord.1698(1), 1994: Ord.1697(1), 1994: Ord.1695(1), 1993: Ord.1687(1), 1993: Ord.1684(45), 1993: Ord.1511(8), 1984: Ord.1452(1), 1982: Ord.1436(2)(part), 1981)

Section 17.46.030 Conditional Uses. The following uses are permitted in the C-5 district when authorized in accordance with Chapter 17.76:

1. Automobile and truck paint shops;
2. Recreational vehicle overnight facilities;
3. Drive-in movie theater;
4. Heavy equipment sales and service;
5. Mobile home and recreational vehicle sales;
6. Boats and marine equipment sales and service;
7. Motorcycle and snowmobile sales and service;
8. Dinner houses and restaurants serving alcoholic beverages;
9. Cocktail lounges and clubs;
10. Other specialty food outlets; mobile food vendors;
11. Meat, fish, poultry and seafood, light processing and sales;
12. Dairy products sales;
13. Paint and related equipment and supplies;
14. Cleaning and janitorial supplies;
15. Secondhand store, or thrift shop;
16. Mortuary;
17. Amusement center (pinball, games, etc.);
18. Manufacturing for on premises sales;
19. Taxidermist;
20. Auction house (excluding livestock);
21. Wholesaling of permitted use products;
22. Adult businesses, as defined in Chapter 5.24;
23. Small engine sales and service;
24. Vocational, technical and trade schools, including facilities related to industrial trades;
25. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, may be permitted as conditional uses when not included within the primary building or structure;

26. Permitted uses that are referred to the planning commission by city staff because they were found to exhibit potentially adverse or hazardous characteristics not normally found in uses of a similar type or size;
27. Large Retail Establishments greater than 80,000 square feet as defined in Section 17.08.010, Retail Establishments, Large;
28. Regional shopping centers.

ORDINANCE NO. 1884

**AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE BY
ADDING CHAPTER 17.77.**

WHEREAS, the changes in this ordinance are intended to bring the City's subdivision and zoning codes into conformance with the procedures set out in state law and nationally recognized standards, and

WHEREAS, the City's land use procedures currently contain requirements that are outdated and prevent the City from acting efficiently and flexibly to best serve the interests of the City's residents, and

WHEREAS, the changes contained within the new ordinance will allow the City to act in accordance with best practices in efficiently processing and considering land use matters, and

WHEREAS, it is in the best interest of the residents of Central Point that the City's land use procedures be improved and the immediate application of the revised City procedures will be advantageous to the population as a whole;

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 5" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

NOW THEREFORE,

**THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO HEREBY ORDAIN
CHANGES TO SECTION 17.77 AS SPECIFICALLY SET FORTH IN EXHIBIT "A -
AMENDMENT NO. 5")**

Passed by the Council and signed by me in authentication of its passage this 27th day of July, 2006.

Dick Halley for
Mayor Hank Williams

ATTEST:

City Recorder

Deanna Seyoum

Approved by me this 28th day of July, 2006.

Dick Halley for
Mayor Hank Williams

EXHIBIT "A"

City of Central Point
Text Amendments to Chapters 16 and 17 of the Municipal Code
July 27, 2006

Amendment 5

CHAPTER 17.77 ACCESSORY DWELLING UNITS (ADU)

- 17.77.005 Purpose
- 17.77.010 Permitted in residential R-L and R-1 Districts
- 17.77.020 Provisions for water and sewer.
- 17.77.030 Only one accessory dwelling unit per single-family dwelling.
- 17.77.040 General provisions.
- 17.77.050 Special provisions.
- 17.77.060 Permit – Fee – Application – Inspection.
- 17.77.070 Detached from single-family dwelling – Special.

17.77.005 Purpose

The purpose of this section is to allow for establishment of an accessory dwelling unit in conjunction with a single-family dwelling within a single-family residential zoning district. An accessory dwelling may be permitted as a means of providing more affordable housing opportunities for young families, empty nesters and others; encouraging additional density with minimal cost and disruption to surrounding neighborhoods; allowing individuals and smaller households to retain large houses as residences; providing convenient care for the elderly and infirm on a long-term basis; and allowing more energy-efficient use of large, older homes.

17.14.010 Permitted in residential districts, R-L and R-1.

Accessory dwelling units (ADUs) shall be a permitted use in the R-L and R-1 residential districts as accessory to single-family dwellings subject to the provisions of this chapter.

17.77.020 Provisions for water and sewer.

No ADU shall be permitted to be added to, created within, or constructed on the same lot as the single-family dwelling to which it is accessory without a prior certification from the public works department of the city that the water supply and sanitary sewer facilities serving the site of proposed ADU are adequate.

17.77.030 Only one accessory dwelling unit per single-family dwelling.

Only one ADU shall be permitted as accessory to a single-family dwelling.

17.77.040 General provisions.

- (1) ADUs shall be permitted as second dwelling units that are added to or created within, or on the same lot as a single-family dwelling.

- (2) All housing and building codes and standards shall be applicable to all ADUs including, but not limited to, the building code, the plumbing code, the electrical code, the mechanical code, the fire code, and all requirements of the City of Central Point.
- (3) ADUs that are added to or created within single-family dwellings shall not be required to have separate independent utility connections; however, ADUs that are detached from the single-family dwelling to which they are accessory shall have separate independent utility connections and solid waste collection.
- (4) The gross floor area of an Accessory Dwelling Unit shall contain no more than 35% of the gross floor area of the main dwelling in existence prior to the construction of the Accessory Dwelling Unit or 800 square feet, which ever is less.
- (5) No subdivision of land, air rights or condominium is allowed so as to enable the sale or transfer of the Accessory Dwelling Unit independently of the main Dwelling Unit or other portions of the property.
- (6) All ADUs shall be designed to maintain the appearance of the single-family dwelling to which they are accessory. If an ADU extends beyond the current footprint of the single-family dwelling it must be consistent with the existing roof pitch, siding and windows of the single-family dwelling. If a separate entrance door is provided, it must be located either off the rear or side of the single-family dwelling. Any additions to an existing structure or building shall not exceed the allowable lot coverage or encroach into the required setbacks.
- (7) All ADUs which are attached to a single-family dwelling shall have a separate entrance for the Accessory Dwelling Unit, but it shall not be located on the front of the existing building.
- (8) At least one (1) off-street parking space shall be provided for each ADU in addition to the off-street parking spaces required for the single-family dwelling.
- (9) All ADUs shall have separate street addresses that are visible from the street and that clearly identify the location of the ADU.

17.77.050 Special provisions.

- (1) The owner or contract purchaser of record of the single-family dwelling to which an ADU is accessory shall reside either in the single-family dwelling or the ADU as a permanent place of residence, and shall not be permitted to rent or lease the same. The ownership of ADUs may not be separated from ownership of the single-family dwelling to which they are accessory.
- (2) No home occupations, day care centers or adult foster homes shall be permitted in ADUs or in single-family dwellings to which they are accessory.

17.77.060 Permit – Fee – Application – Inspection.

- (1) No ADU may be added to, created within, or constructed upon the same lot as a single-family dwelling without a permit therefore, issued by the Planning Department.
- (2) All applications for ADU permits shall be on forms provided by the Planning Department, and the fee for such permit shall be as provided in the building code.
- (3) Before any permit for the creation or construction of an ADU is granted, the proposed site thereof and the plans and specifications therefore shall be inspected by the building official to assure that the provisions of this chapter are not violated.

17.77.070 Detached from single-family dwelling – Special.

The following provisions shall be applicable to detached ADUs:

- (1) Water, sewer and solid waste collection shall 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.
- (2) 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 (10) feet.
- (3) 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.
- (4) 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.
- (5) Detached ADUs shall have a minimum of twenty-five (25) feet of unobstructed street frontage with no intervening structures to ensure adequate visibility and access for emergency vehicles.

ORDINANCE NO. 1885

**AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE BY
MODIFYING CHAPTERS 16.36.040.**

WHEREAS, the changes in this ordinance are intended to bring the City's subdivision code into conformance with the procedures set out in state law and nationally recognized standards, and

WHEREAS, the City's land use procedures currently contain requirements that are outdated and prevent the City from acting efficiently and flexibly to best serve the interests of the City's residents, and

WHEREAS, the changes contained within the new ordinance will allow the City to act in accordance with best practices in efficiently processing and considering land use matters, and

WHEREAS, it is in the best interest of the residents of Central Point that the City's land use procedures be improved and the immediate application of the revised City procedures will be advantageous to the population as a whole;

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 6" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO HEREBY ORDAIN
CHANGES TO SECTION 16.36.040 AS SPECIFICALLY SET FORTH IN EXHIBIT "A -
AMENDMENT NO. 6")

Passed by the Council and signed by me in authentication of its passage this 27th day of
July, 2006.

Dick Halley for
Mayor Hank Williams

ATTEST:

Diana Lopez
City Recorder

Approved by me this 27th day of July, 2006.

Dick Halley for
Mayor Hank Williams

EXHIBIT "A"

**City of Central Point
Text Amendments to Chapters 16 and 17 of the Municipal Code
July 27, 2006**

AMENDMENT 6

CHAPTER 16.36 MAJOR AND MINOR LAND PARTITIONS

Section 16.36.040 Flag Lots. No partition shall be approved in which a flag lot, as defined in this chapter, is created unless:

- A. The parent and flag lot, excluding the flag pole, whether fee title or an easement, shall comply with the minimum lot size, lot dimension, and setback requirements for the zoning district in which the lots are located;
- B. The flag pole shall be no less than twenty feet wide and paved to private standards as set forth in the Standard Specifications and Uniform Details, City of Central Point Public Works Department ;
- C. No fence, structure, or any other physical obstacle shall be placed within the flag pole; and
- D. A maximum of two (2) lots are allowed access from a flag pole. (Ord. 1650 (part), 1990).

ORDINANCE NO. 1886

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE BY
DELETING CHAPTERS 17.36.

WHEREAS, the changes in this ordinance are intended to bring the City's zoning code into conformance with the procedures set out in state law and nationally recognized standards, and

WHEREAS, the City's land use procedures currently contain requirements that are outdated and prevent the City from acting efficiently and flexibly to best serve the interests of the City's residents, and

WHEREAS, the changes contained within the new ordinance will allow the City to act in accordance with best practices in efficiently processing and considering land use matters, and

WHEREAS, it is in the best interest of the residents of Central Point that the City's land use procedures be improved and the immediate application of the revised City procedures will be advantageous to the population as a whole;

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 7" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO HEREBY ORDAIN
CHANGES TO SECTION 17.36 AS SPECIFICALLY SET FORTH IN EXHIBIT "A -
AMENDMENT NO. 7")

Passed by the Council and signed by me in authentication of its passage this 27th day of
July, 2006.

Dick Halley for
Mayor Hank Williams

ATTEST:

Dawn Lopez
City Recorder

Approved by me this 28th day of July, 2006.

Dick Halley for
Mayor Hank Williams

EXHIBIT "A"

**City of Central Point
Text Amendments to Chapters 16 and 17 of the Municipal Code
July 27, 2006**

**AMENDMENT 7 (CHAPTER 17.36 C-2, COMMERCIAL-PROFESSIONAL
DISTRICT Deleted in its entirety.)**

ORDINANCE NO. 1887

**AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE BY
DELETING CHAPTER 17.40.**

WHEREAS, the changes in this ordinance are intended to bring the City's zoning code into conformance with the procedures set out in state law and nationally recognized standards, and

WHEREAS, the City's land use procedures currently contain requirements that are outdated and prevent the City from acting efficiently and flexibly to best serve the interests of the City's residents, and

WHEREAS, the changes contained within the new ordinance will allow the City to act in accordance with best practices in efficiently processing and considering land use matters, and

WHEREAS, it is in the best interest of the residents of Central Point that the City's land use procedures be improved and the immediate application of the revised City procedures will be advantageous to the population as a whole;

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 8" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

NOW THEREFORE,

**THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO HEREBY ORDAIN
CHANGES TO SECTION 17.40 AS SPECIFICALLY SET FORTH IN EXHIBIT "A -
AMENDMENT NO. 8")**

Passed by the Council and signed by me in authentication of its passage this 27th day of July, 2006.

Dick Halley for
Mayor Hank Williams

ATTEST:

Deanna Ferguson
City Recorder

Approved by me this 28th day of July, 2006.

Dick Halley for
Mayor Hank Williams

EXHIBIT "A"

**City of Central Point
Text Amendments to Chapters 16 and 17 of the Municipal Code
July 27, 2006**

| AMENDMENT 8 (Chapter 17.40 C-3, DOWNTOWN BUSINESS DISTRICT
deleted in its entirety).

ORDINANCE NO. 1889

AN ORDINANCE AMENDING THE CENTRAL POINT MUNICIPAL CODE BY
MODIFYING CHAPTER 17.12.020.

WHEREAS, the changes in this ordinance are intended to bring the City's zoning code into conformance with the procedures set out in state law and nationally recognized standards, and

WHEREAS, the City's land use procedures currently contain requirements that are outdated and prevent the City from acting efficiently and flexibly to best serve the interests of the City's residents, and

WHEREAS, the changes contained within the new ordinance will allow the City to act in accordance with best practices in efficiently processing and considering land use matters, and

WHEREAS, it is in the best interest of the residents of Central Point that the City's land use procedures be improved and the immediate application of the revised City procedures will be advantageous to the population as a whole;

WHEREAS, findings have been prepared (Exhibit "B") supporting a determination that the new ordinance as presented in Exhibit "A - Amendment No. 9" is consistent with all applicable State Wide Planning Goals, the City of Central Point's Comprehensive Plan Elements, the City of Central Point Zoning Code, and the Transportation Planning Rule.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO HEREBY ORDAIN
CHANGES TO SECTION 17.12.020 AS SPECIFICALLY SET FORTH IN EXHIBIT "A -
AMENDMENT NO. 9")

Passed by the Council and signed by me in authentication of its passage this 27th day of July, 2006.

Dick Halley for
Mayor Hank Williams

ATTEST:

Deanna Lopez
City Recorder

Approved by me this 28th day of July, 2006.

Dick Halley for
Mayor Hank Williams

EXHIBIT "A"

City of Central Point
Text Amendments to Chapters 16 and 17 of the Municipal Code
July 27, 2006

Amendment 9
CHAPTER 17.12 ZONING DISTRICT

Sections:

- 17.12.010 Compliance with provisions.
- 17.12.020 Zones—Classification.
- 17.12.030 District—Location.
- 17.12.040 Zoning maps.
- 17.12.050 District—Boundaries.
- 17.12.060 Zoning of annexed area.

17.12.010 Compliance with provisions. (A) A lot may be created or used and a structure or part thereof constructed, reconstructed, altered, occupied or used only as permitted in this code. (B) No lot shall be created if the effect thereof is to allow the perpetuation of a nonconforming use. (Ord. 1684 §27, 1993; Ord. 1436 §2 (part), 1981).

17.12.020 Zones—Classification. For the purposes of this title the following zones are established by the city:

<u>Abbreviation</u>	<u>District</u>
R-L	Residential low-density
R-1	Residential single-family
R-2	Residential two-family
R-3	Residential multiple-family
C-1	Neighborhood convenience shopping
C-2 (M)	Commercial – Medical District
C-4	Tourist and office-professional
C-5	Thoroughfare commercial
M-1	Industrial
M-2	Industrial general
B.C.G.	Bear Creek Greenway
TOD/TOC	Transit Oriented District/Corridor
LMR	Low Mix Residential
MMR	Medium Mix Residential
HMR	High Mix Residential

EC	Employment Commercial
GC	General Commercial
C	Civic
OS	Open Space

(Ord. 1643 §1, 1990; Ord. 1615 §2, 1989; Ord. 1436 §2 (part), 1981).

17.12.030 District—Location. The boundaries for each district listed in this title are the boundaries indicated for the district by the city zoning map of 1987, which is adopted by reference. The boundaries shall be modified in accordance with zoning map amendments, which amendments this section subsequently adopts by reference. (Ord. 1615 §3, 1989; Ord. 1436 §2 (part), 1981).