



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

04/22/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Central Point Plan Amendment
DLCD File Number 004-12

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: Monday, May 06, 2013

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Tom Humphrey, City of Central Point
Gordon Howard, DLCD Urban Planning Specialist
Josh LeBombard, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

DATE STAMP	☐ In person	☐ electronic	☐ mailed
	DEPT OF		
	APR 17 2013		
	LAND CONSERVATION AND DEVELOPMENT		
For Office Use Only			

Jurisdiction: **City of Central Point**

Local file number: **13005**

Date of Adoption: **4/11/2013**

Date Mailed: **4/15/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: Dec.17, 2012

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☒ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

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

The addition of text to CPMC Sections 17.24.020 and 17.24.050, R-2, Residential Two-Family District, would allow an applicant the choice to develop utilizing the Transit Oriented Development Low Mix Residential (TOD LMR) standards of Section 17.65 or the existing R-2 standards.

Does the Adoption differ from proposal? Please select one

no

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous: **6-12**

New: **6-12**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☒	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-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

DLCD File No. 004-12 (19636) [17421]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Tom Humphrey**

Phone: **(541) 423-1025** Extension:

Address: **140 S. Third Street**

Fax Number: **541-664-2595**

City: **Central Point** Zip: **97502-**

E-mail Address:

Tom.Humphrey@centralpointoregon.gov

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS [197.615](#) and [OAR Chapter 660, Division 18](#)

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and **one complete paper copy** (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

ORDINANCE NO. 1972

AN ORDINANCE AMENDING CHAPTER 17.24 OF THE CENTRAL POINT MUNICIPAL CODE
BY ADDING SECTIONS 17.24.020 K. and 17.24.050 H., GIVING DISCRETION TO
APPLICANTS TO USE ALTERNATIVE ZONING STANDARDS IN THE R-2, RESIDENTIAL
TWO-FAMILY DISTRICT ZONING DISTRICT.

Recitals:

A Pursuant to the requirements set forth in CPMC Section 17.05 and 17.10, the City has conducted the following duly advertised public hearings to consider the proposed amendments:

1. Planning Commission hearing on February 5, 2013.
2. City Council hearing on March 28, 2013.

B. At the public hearing on March 28, 2013, the City Council reviewed the staff report, received the findings of the Central Point Planning Commission, and received public testimony from all interested persons. Based upon all of the information received, the City Council adopts the findings and conclusions set forth in the staff report dated March 28, 2013 and based upon the same, the City Council finds that there is sufficient public need and justification for the proposed text amendments.

C. The revisions to this ordinance are being made to provide site development and design options of the Transit Oriented Development (TOD) Low Mix Residential (LMR) Zoning District as provide in CPMC Section 17.65.

D. Words ~~lined through~~ in the following ordinance are to be deleted and words **in bold** are added.

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

Section 1. Section 17.24.020 of the Central Point Municipal Code is amended to read:

Chapter 17.24

R-2, RESIDENTIAL TWO-FAMILY DISTRICT

17.24.020 Permitted uses.

The following uses and their accessory uses are permitted in the R-2 district:

A. One single-family dwelling;

B. Single-family manufactured home, as defined in Section 17.08.010, and subject to the following conditions:

1. The manufactured home shall be multisectional and enclose a space of not less than one thousand square feet,

2. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than twelve inches above grade,

3. The manufactured home shall have a pitched roof, with a minimum slope of three feet in height for each twelve feet in width,

4. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within Central Point or which is comparable to the predominant materials used on surrounding dwellings as determined by the city,

5. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010,

6. The manufactured home shall have a garage or carport constructed of like material. The city may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of dwellings in the immediately surrounding area,

7. In addition to the foregoing, a manufactured home and the lot upon which it is sited shall comply with any and all development standards, architectural requirements and minimum size requirements with which conventional single-family residential dwellings on the same lot would be required to comply;

C. One two-family dwelling;

D. Public schools, parochial schools, kindergartens, but not including business, dance, music, art, trade, technical or similar schools;

E. Churches and similar religious institutions;

F. Public parks and recreational facilities;

G. Developer's project office and sales office including mobile homes and trailers adapted to that purpose during construction of the project only;

H. Residential facilities, as that term is defined in Oregon Revised Statutes 197.660(1); provided, however, the city may require an applicant proposed to site a residential facility to supply the city with a copy of the entire application and supporting documentation for state licensing of the facility, except for information which is exempt from public disclosure under ORS 192.496 to 192.530;

I. Residential homes;

J. Other uses not specified in this or any other district, if the planning commission finds them to be similar to those listed above and compatible with other permitted uses and with the intent of the R-2 district as provided in Section 17.60.140. (Ord. 1912(Exh.1), 2008; Ord. 1691 §1, 1993; Ord. 1684 §33, 1993; Ord. 1615 §31, 1989; Ord. 1436 §2(part), 1981).

K. At the discretion of the applicant, a development application within the R-2 district shall be subject to:

1. The normal base zone requirements as identified in this chapter; or
2. The TOD-LMR requirements as set forth in Chapter 17.65.

Section 2. Section 17.24.050 of the Central Point Municipal Code is amended to read:

17.24.050 Area, width and yard requirements.

The following lot requirements shall be observed in the R-2 district:

A. Lot Area. The lot area shall be a minimum of six thousand square feet with corner lots being a minimum of seven thousand square feet.

B. Lot Width. The minimum width of a lot shall be sixty feet, with corner lots being a minimum of seventy feet in width.

C. Lot Depth. No requirements.

D. Front Yard. The front yard shall be a minimum of twenty feet.

E. Side Yard. Side yards shall be a minimum of five feet per story. Side yards abutting a street shall be a minimum of ten feet; provided that, side yards abutting streets shall comply with the following:

1. Sight distance and clear vision area requirements set forth in the public works standards;
2. Special setback rules set forth in Section 17.60.090; and
3. For structures or a part of any structure served by a driveway located on the side yard, the minimum side yard setback, for that part of the structure serving the driveway, such as a garage or carport, shall be twenty feet.

F. Rear Yard. The rear yard shall be a minimum of ten feet.

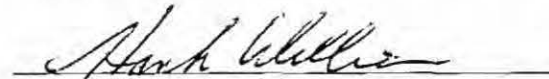
G. Notwithstanding the yard requirements above and depending on the location of the lot, special setback requirements may apply as specified in Section 17.60.090. (Ord. 1738 §3, 1996; Ord. 1723 §3, 1995; Ord. 1615 §24, 1989; Ord. 1436 §2(part), 1981).

H. At the discretion of the applicant, a development application within the R-2 zoning district shall be subject to:

1. The normal base zone requirements as identified in this chapter; or
2. The TOD-LMR requirements as set forth in Chapter 17.65.

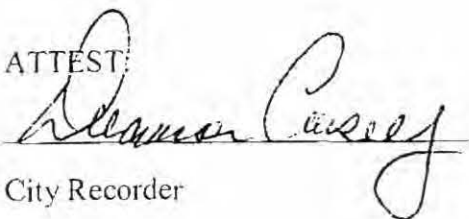
17.24.055 Density.

Passed by the City Council and signed by me in authentication of its passage this
11th day of April, 2013.

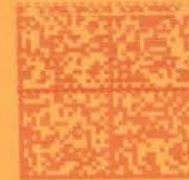


Mayor Hank Williams

ATTEST:


City Recorder

City of Central Point
140 S. Third Street
Central Point, OR 97502



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017H15538784
\$1.120
04/15/2013
Mailed From 97502

US POSTAGE

DEPT OF

APR 17 2013

LAND CONSERVATION
AND DEVELOPMENT

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Dev.
635 Capitol Street NE, Ste. 150
Salem, OR 97301-2540

