



# 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](http://www.lcd.state.or.us)



## NOTICE OF ADOPTED AMENDMENT

03/23/2009

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

FROM: Larry French, Plan Amendment Program Specialist

SUBJECT: City of Central Point Plan Amendment  
DLCD File Number 007-08

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: Friday, April 03, 2009

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 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

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

<paa> YA

PROF 2

DLCD

# 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

<input type="checkbox"/> In person	<input type="checkbox"/> electronic	<input type="checkbox"/> mailed
<b>DEPT OF</b>		
MAR 16 2009		
<b>LAND CONSERVATION AND DEVELOPMENT</b>		
For DLCD Use Only		

Jurisdiction: **City of Central Point**

Local file number: **09004(3)**

Date of Adoption: **3/12/2009**

Date Mailed: **3/13/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 12/17/2008

☐ 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".

Text amendment to 17.37.020(D) C-2M Commercial Medical zoning district to resolve code ambiguity in order to provide for the continued use of existing residential uses within the zoning district.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

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

DLCD #007-08(17285) [15443]

**DLCD file No.** \_\_\_\_\_

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

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Local Contact: **Connie Clune**

Phone: **(541) 664-3321** Extension: **293**

Address: **140 S. Third Street**

Fax Number: **541-664-6384**

City: **Central Point, Or**

Zip: **97502-**

E-mail Address: **didit@ci.central-point.or.us**

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## **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 Complete Copies** (documents and maps) 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. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
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 now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also 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. 1925**

**AN ORDINANCE AMENDING SECTION 17.37.020 OF THE CENTRAL POINT  
MUNICIPAL CODE**

**RECITALS:**

1. The City of Central Point (City) is authorized under Oregon Revised Statute (ORS) Chapter 197 to prepare, adopt and revise comprehensive plans and implementing ordinances consistent with the Statewide Land Use Planning Goals.
2. Pursuant to authority granted by the City Charter and the Oregon Revised Statutes, the City has determined to amend Section 17.37.020 the Central Point Municipal Code,
3. Pursuant to the requirements set forth in CPMC Sections 17.05 and 17.10, the City has conducted the following duly advertised public hearings to consider the proposed amendments:
  - (a) Planning Commission hearing on February 3, 2009.
  - (b) City Council hearing on February 26, 2009.

**NOW THEREFORE, THE PEOPLE OF THE CITY OF CENTRAL POINT, OREGON, DO  
ORDAIN AS FOLLOWS:**

Section 1. At its public hearing on February 26, 2009, the City Council reviewed the City 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 February 26, 2009, and based upon the same, the City Council finds that there is sufficient public need and justification for the proposed text amendments, and the proposed amendments are hereby adopted entirely.

Section 2. Section 17.37.020 of the Central Point Municipal Code is hereby amended to read as follows:

**17.37.020 Permitted uses.**

The following uses are permitted in the C-2(M) district:

- A. Professional and financial, including:
  1. Hospitals;
  2. Health care facilities required to be licensed by the state of Oregon;
  3. Professional medical offices; and
  4. Medical services, clinics and laboratories.
- B. Personal services when the primary use is in conjunction with related health care facilities in the zone, including:
  1. Barber and beauty shops;
  2. Counseling services; and
  3. Day care centers.
- C. Retail outlets, when such uses are in conjunction with health care facilities located in the area,

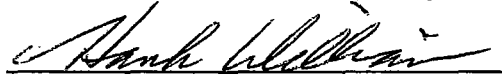
including:

1. Drugstore;
2. Health food;
3. Gifts, notions and variety;
4. Sit-down restaurant;
5. Delicatessen, pastry, confectionery, bakery;
6. Jewelry; and
7. Books and stationery.

D. Residential purposes, when developed to the standards of the TOD-LMR, Low Mix Residential district as set forth in Chapter 17.65. ~~but only if the structure was initially built for use as a single-family, duplex or multiple-family residence. If a structure was initially built for use as a residence, the fact that it was subsequently used as a professional medical office shall be no bar to reverting back to the original residential use.~~ (Ord. 1684 §43(part), 1993).

Section 3. The City Administrator is directed to conduct post acknowledgement procedures defined in ORS 197.610 et seq. upon adoption of the changes to the municipal code.

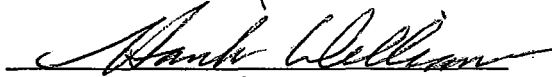
PASSED by the City Council and signed by me in authentication of its passage this 12<sup>th</sup> day of March, 2009.

  
Mayor Hank Williams

ATTEST:

  
City Representative

Approved by me this 13<sup>th</sup> day of March, 2009.

  
Mayor Hank Williams

**Chapter 17.37**  
**C-2(M), COMMERCIAL-MEDICAL DISTRICT**

**Sections:**

- 17.37.010 Purpose.
- 17.37.020 Permitted uses.
- 17.37.030 Conditional uses.
- 17.37.040 Height regulations.
- 17.37.050 Area, width and yard requirements.
- 17.37.060 Signs and lighting of premises.
- 17.37.070 Off-street parking.

**17.37.010 Purpose.**

The C-2(M) district is intended to assure that adequate medical care will be available to the residents of Central Point and enhance Central Point's attractiveness as a location for private medical practices and other health facilities, both public and private, that may be directly or indirectly related to hospital-type activities. (Ord. 1684 §43(part), 1993).

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**17.37.030 Conditional uses.**

The following uses are permitted in the C-2(M) district when authorized in accordance with Chapter 17.76:

- A. Insurance company offices;
- B. Legal services;
- C. 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; and
- D. 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 and size. (Ord. 1684 §43(part), 1993).

**17.37.040 Height regulations.**

No building or structure shall exceed thirty-five feet in height in a C-2(M) district. (Ord. 1684 §43(part), 1993).

**17.37.050 Area, width and yard requirements.**

The following lot requirements shall be observed in the C-2(M) district:

- A. Lot Area. No requirements except as necessary to meet the applicable yard, parking and loading requirements.
- B. Lot Width. No requirements.
- C. Lot Depth. No requirements.
- D. Front Yard. The front yard shall be a minimum of fifteen feet between the front property line and any buildings, structures or parking areas. The front yard shall be planted with lawn, trees, shrubs, flowers or other suitable landscaping materials and shall be continuously maintained in good condition and in an attractive manner.
- E. Side Yard. The side yard shall be a minimum of five feet, except that when a side lot line abuts a lot in a residential district, the side yard shall be a minimum of five feet per story, and when the side lot line abuts a private right-of-way, the side yard shall be ten feet and landscaped as described in Section 17.36.050(D).
- F. Rear Yard. No rear yard shall be required in the C-2(M) district except when the rear yard line abuts property in a residential district and then the rear yard shall be a minimum of ten feet.
- G. Lot Coverage. The maximum lot coverage by buildings and structures shall be fifty percent of the total lot area. (Ord. 1684 §43(part), 1993).

**17.37.060 Signs and lighting of premises.**

- A. No illuminated signs or lighting standards used or the illumination of premises shall be designed and installed so that direct rays are toward or parallel to a public street or highway or directed toward any property that lies within a residential district.
- 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.
- C. Signs in the C-2(M) district shall be permitted and designed according to the provisions of Chapter 15.24 and Section 17.60.110. (Ord. 1684 §43(part), 1993).

**17.37.070 Off-street parking.**

Off-street parking and loading space shall be provided as required in Chapter 17.64. (Ord. 1684 §43(part), 1993).



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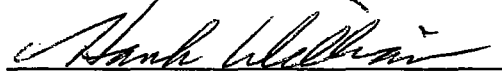
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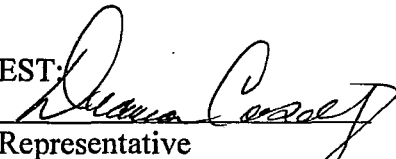
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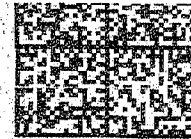
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of Central Point  
S. Third Street  
Central Point, OR 97502



HASLEF

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03/13/2009

Mailed From 97502

US POSTA

Attention: Plan Amendment Specialist  
Dept. of Land Conserv. & Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540