NOTICE OF ADOPTED AMENDMENT

12/01/2010

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 001-10A

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: Wednesday, December 15, 2010

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: Didi Thomas, City of Central Point
    Gloria Gardiner, DLCD Urban Planning Specialist
    Angela Lazarean, DLCD Urban Planner
    Ed Moore, DLCD Regional Representative

<paa> YA
Notice of Adoption

Jurisdiction: City of Central Point
Date of Adoption: November 18, 2010
Date Mailed: November 24, 2010

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? X Yes □ No Date: Aug.17, 2010

☐ Comprehensive Plan Text Amendment
☐ Comprehensive Plan Map Amendment
☐ Land Use Regulation Amendment
☐ Zoning Map Amendment
☐ Other:

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

Section 17.77 Accessory Dwelling Units, amendments to conform to CPMC Title 13 Water (Public Works standards, not a land use action or review).

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: New:

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 XNO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing? X 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. 001-10A (18477) [16434]
Please list all affected State or Federal Agencies, Local Governments or Special Districts:
None

Local Contact: Connie Clune
Phone: (541) 423-1048
Address: 140 S. Third Street
City: Central Point, OR
City: Central Point, OR
Zip: 97502
Fax Number: 541-664-6384
E-mail Address: Didi.Thomas@centralpointoregon.gov

ADOPTION SUBMITTAL REQUIREMENTS
This Form 2 must be received by DLCD no later than 5 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, please print this Form 2 on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and
maps) of the Adopted Amendment to the address in number 6:
4. Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any
electronic or digital format at this time.
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction.
The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1)
Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to
the DLCD Salem Office and stamped with the incoming date stamp. (for submittal instructions,
also see # 5) MAIL the PAPER COPY and CD 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

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other
supplementary information (see ORS 197.615 ).
8. Deadline to appeals to LUBA is calculated twenty-one (21) days from the receipt (postmark date) of adoption
(see ORS 197.830 to 197.845 ).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in
the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to
DLCD (see ORS 197.615 ).
10. Need More Copies? You can now access these forms online at http://www.lcd.state.or.us/. You may also
call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

Updated December 22, 2009
ORDINANCE NO. 1942

AN ORDINANCE AMENDING SECTION 17.77 ACCESSORY DWELLING UNITS (ADU) OF THE CENTRAL POINT MUNICIPAL CODE TO PROVIDE CONSISTENT CODE LANGUAGE

RECITALS:

A. 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 proposed amendments:

B. At the public hearing on October 28, 2010, 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 October 28, 2010, and based upon the same, the City Council finds that there is sufficient public need and justification for the proposed text amendments.

C. 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.

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. Subsection C of Section 17.77.040 of the Central Point Municipal Code is amended to read:

   C. ADUs, whether attached or detached, that are added to or created within single-family dwellings shall 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.

Section 2. Subsection A of Section 17.77.060 of the Central Point Municipal Code is amended to read:

   A. 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. ADU permits shall be processed as a Type I land use application.

1 - Ordinance No. 1942
Section 3. Section 17.77.070 of the Central Point Municipal Code is amended to read:

17.77.070 ADUs Detached from single-family dwelling—Special.
The following provisions shall be applicable to detached ADUs:

A. Water, sewer and solid waste collection shall may 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-, or by other means approved by the public works department.

PASSED by the City Council and signed by me in authentication of its passage this 18th day of November, 2010.

Mayor Hank Williams

ATTEST:

City Representative

Approved by me this 18th day of November, 2010.

Mayor Hank Williams

2 – Ordinance No. 1942
Attn: Plan Amend. Specialist
DLCD
635 Capitol St NE, Ste 150
Salem, OR 97301-2540