



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

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



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

NOV 26 2010

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **5-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

Jurisdiction: **City of Central Point**

Local file number: 11002

Date of Adoption: November 18, 2010

Date Mailed: November 24, 2010

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

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".

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 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 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 Extension:

Address: 140 S. Third Street

Fax Number: 541-664-6384

City: Central Point, OR Zip: 97502

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.

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:
 - 1. Planning Commission hearing on October 5, 2010.
 - 2. City Council hearing on October 28, 2010.

- 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~~ **are 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.~~

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

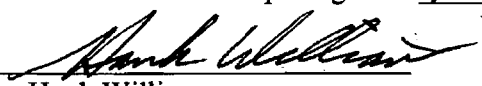
A. No ADU may be added to, created within, or constructed upon the same lot as a single-family dwelling without a permit therefore, issued by the planning department. **ADU permits shall be processed as a Type I land use application.**

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

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



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11/24/2010
Mailed From 97502

US POSTAGE

Attn: Plan Amend. Specialist
DLCD
635 Capitol St NE, Ste 150
Salem, OR 97301-2540