

Notice of Public Hearing

Horn Creek No-Rise Certification
File No.: FP - 22001

Mailing Date: November 16, 2022

IMPORTANT NOTICE

If you are a mortgagee, lienholder, vendor or seller: ORS Chapter 215 requires that immediately upon receipt, this notice must be promptly forwarded to the purchaser.

Meeting: Planning Commission
Date: Tuesday, December 16, 2022
Time: 6:00 p.m.
Location: 140 South Third Street Central Point, OR 97502
or Virtually via Zoom (Email planning@centralpointoregon.gov to request a meeting link)

You are receiving this notice because you live within 250-feet of a floodway development project along Horn Creek where the City of Central Point is requesting approval to complete improvements in the channel of the creek to eliminate a culvert, improve flows in the creek, and re-establish a natural channel. The project location is a City-owned property identified on Jackson County Assessor's map as 37S 2W 10BB, Tax Lot 800 and 211 Donna Way (37S 2W 10BB, Tax Lot 1000). Per the Applicant's No-Rise Analysis, the project will not aggravate flooding or increase flood elevations along Horn Creek.

Applicant: City of Central Point; **Agent:** RH2 Engineering (Tyler Duncan)

In accordance with CPMC 17.05.100, Table 17.05.01, the applications are being reviewed using Type III (Quasi-judicial) land use procedures set forth in CPMC 17.05.400. These procedures require public notification of the land use application, a public hearing and decision by the Planning Commission.

You are invited to attend and participate in the public hearing scheduled for the Planning Commission meeting on December 6, 2022 at 6:00 p.m. You may attend the meeting in person or virtually. **Please email planning@centralpointoregon.gov no later than 4:00 p.m. on December 6, 2022 to request a link to the meeting.** We will need your name, address and email to keep track of meeting participants for the official meeting record.

APPLICATION SUMMARY

The City of Central Point is reviewing the above-mentioned floodplain permit application. Within the project site, Horn Creek flows through a culvert that is in danger of collapse and failure. The project will re-establish the creek channel into an existing bypass channel to the west of the culvert and abandon the culvert, which will remain in place but will be plugged to prevent flows from entering. The re-established channel will be sized appropriately to function in both low-flow and high-flow conditions. The work within the channel will not increase flood elevations along Horn Creek.

NOTICE REQUIREMENTS

The purpose of providing notice is to give nearby property owners and other interested parties the opportunity to submit written comments about the application relevant to the approval criteria. This notice has been mailed to property owners within a 250-ft radius of the project site.

CRITERIA FOR DECISION

Criteria for Floodplain Development applications for projects in the regulatory floodway are set forth in the CPMC Section 8.24.200, Flood Damage Prevention.

The Central Point Municipal Code is available online at www.centralpointoregon.gov.

PUBLIC COMMENTS

1. Pursuant to ORS 197.763(3)(e), comments relative to the approval criteria must be raised prior to the close of the public hearing either in person or in writing with sufficient specificity to afford the decision-makers and all parties an opportunity to respond to the issue(s) raised. Failure to do so means that an appeal based on that issue cannot be raised at the State Land Use Board of Appeals.
2. Any person interested in commenting on the above-mentioned land use decision may submit written comments up until the close of the public hearing at the Planning Commission meeting scheduled for **December 6, 2022** at 6:00 p.m.
3. Written comments may be sent in advance of the meeting to Central Point City Hall, 140 South Third Street, Central Point, OR 97502 or by e-mail to planning@centralpointoregon.gov. Emailed comments must be received **no later than 4:00 p.m. on December 6, 2022** to be included in the record.
4. Issues that may provide the basis for an appeal shall be raised prior to the expiration of the comment period noted above. Testimony and written comments about the decision described above will need to be related to the proposal and should be stated clearly to the Planning Commission.
5. Copies of all evidence relied upon by the applicants are available for public review at City Hall located at 140 South Third Street, Central Point, Oregon. **The City File Number is FP - 22001.** Copies of the same are available at a \$0.25 per page.
6. Project information is available on the City's website at: <https://www.centralpointoregon.gov/cd/project/horn-creek-floodway-development-no-rise-certification>
7. For additional information, the public may contact Justin Gindlesperger at 541.423.1037 or by email at justin.gindlesperger@centralpointoregon.gov.

SUMMARY OF PROCEDURE

At the meeting, the Planning Commission will review the floodway development request, receive the staff report and then open the public hearing to receive testimony and hear arguments from the applicants, proponents, opponents specific to the application. Any testimony or written comments provided must be related to the criteria set forth above. At the conclusion of the meeting, the Planning Commission may approve, approve with conditions or deny the application.

TELECONFERENCE INFORMATION

If you are interested in participating in the meeting remotely, contact City staff at planning@centralpointoregon.gov for online meeting identification, login information and phone numbers for viewing and listening. To register please email your request and include your full name and address no later than 4:00 p.m. on December 6, 2022.

Figure 1. Project Location Map



Horn Creek Floodway Development & No-Rise Certification

Project Location Map
File No.: FP - 22001

