



**CITY OF CENTRAL POINT
PLANNING COMMISSION AGENDA
February 4, 2020 - 6:00 p.m.**

I. MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Planning Commission members, Mike Oliver (chair), Tom Van Voorhees, Amy Moore, Jim Mock, Pat Smith, Kay Harrison, Chris Richey

IV. CORRESPONDENCE

V. MINUTES

Review and approval of the January 7, 2020 Planning Commission meeting minutes.

VI. PUBLIC APPEARANCES

VII. BUSINESS

- A. Public Hearing for a Zone Map Change application. The zoning is proposed for change from Employment Commercial (TOD) to General Commercial (TOD). The 0.99 acres are located in the western portion of the City's downtown corridor. The Project Site is identified on the Jackson County Assessor's map as 37-2W-10AA, Tax Lots 6000 and 6100. **Applicant:** City of Central Point. File No. CPA-19008. **Approval Criteria:** CPMC 17.10, Zoning Map and Zoning Code Text Amendments; and CPMC 17.65 TOD Districts and Corridors.

- B. Public Hearing of an Annexation application at 3664 Grant Road to add 3.16 acres of land into the City limits for low density residential development. The property is identified on the Jackson County Assessor's map as 37S 2W 10BC Tax Lot 2200. **Applicant:** WL Moore Construction, Inc. Agent: Herb Farber. File No. Annex-19001. **Approval Criteria:** ORS 222.125 (Annexation by consent of all owners of land and majority of electors); Proclamation of Annexation as well as CPMC 1.20 Annexation Procedure.

VIII. DISCUSSION

IX. ADMINISTRATIVE REVIEWS

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1026 (voice), or by e-mail at: deanna.casey@centralpointoregon.gov.

Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta publica de la ciudad por favor llame con 72 horas de anticipación al 541-664-3321 ext. 201.

X. MISCELLANEOUS

XI. ADJOURNMENT

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**City of Central Point Planning
Commission Minutes
January 7, 2020**

I. MEETING CALLED TO ORDER AT 6:00 P.M

II. ROLL CALL

Commissioners Mike Oliver (chair), Tom Van Voorhees, Pat Smith, Chris Richey, Jim Mock and Kay Harrison were present. Also in attendance were: Tom Humphrey, Community Development Director, and Karin Skelton, Planning Secretary.

PLEDGE OF ALLEGIENCE

III. CORRESPONDENCE

IV. MINUTES

Pat Smith made a motion to approve the September 10, 2019 minutes. Kay Harrison seconded the motion. ROLL CALL: Tom Van Voorhees, yes; Kay Harrison, yes; Jim Mock, abstain; Chris Richey, yes; Pat Smith, yes; Motion passed.

V. PUBLIC APPEARANCES

There were no public appearances.

VI. BUSINESS

VII. DISCUSSION

- A. Consideration of a Zone Map Change application. The zoning is proposed for change from Employment Commercial (TOD) to General Commercial (TOD). The 0.99 acres are located in the western portion of the City's downtown corridor. The Project Site is identified on the Jackson County Assessor's map as 37-2W-1-AA. Tax Lots 6000 and 6100. Applicant: City of Central Point. File No. CPA -19008.**

Community Development Director Tom Humphrey explained the differences between the Employment Commercial and General Commercial zoning. He said the subject properties have been acquired by the Rogue Creamery for the purpose of expansion. The change would be consistent with the surrounding properties. The property had formerly been a legally nonconforming mobile home park.

The Commissioners discussed the expansion of the Rogue Creamery. Mr. Van Voorhees said there were many options for development. He said any new space would need to be as flexible as possible in order to provide the most options for expansion of the business. He said it would be a while before a final plan for the property would be set.

Mr. Humphrey explained the Creamery would be having a traffic study done and that information would be used to assess traffic impact on the intersection of Haskell and W. Pine Street.

The commissioners discussed the nearby Rogue Valley Bin property and possible future options for it once the company had closed.

Mr. Humphrey asked the Planning Commission if they would like to move this item to a public hearing. The Commissioners asked about noticing requirements. Mr. Humphrey responded the Central Point Municipal Code requires notice to be sent to property owners within 250 feet of any proposed project. Additionally notices are posted on the property itself and published in the newspaper.

Mike Oliver asked if there were any questions from the public. There were no questions.

Kay Harrison made a motion to move the Zone Map Change application from Employment Commercial to General Commercial to a public hearing once a traffic study is received. Pat Smith seconded the motion. ROLL CALL: Tom Van Voorhees, yes; Kay Harrison, yes; Chris Richey, yes; Pat Smith, yes; Jim Mock, yes. Motion passed

B. Consideration of a Comprehensive Plan (Map) application. The project site consists of 12.12 acres located in the southwestern portion of the City and is identified on the Jackson County Assessor's map as 37-2W-11BC, on various tax lots. Applicant: City of Central Point. File No. CPA – 19006.

Mr. Humphrey reviewed the history of the C2-(M) property saying originally there was a hospital and a medical clinic located there. He said currently the school district has plans to use the location for a pre-kindergarten and kindergarten facility in order to make more room in the existing elementary schools. He said the city was proposing a designation of Civic zoning for the school. The surrounding residential area would be zoned R-1-6. He said the Citizen's Advisory Committee (CAC) discussed the rezoning and felt this was a good fit.

He explained that the city has specifically used the civic zoning for schools so the land would not be included in the residential land inventory which is used to demonstrate the city's need for expansion of the Urban Growth Boundary (UGB). He added the R-1-6 designation was consistent with the surrounding residential area. He said the zoning was decided through a process which included input from staff, the CAC, the Planning Commission and the public.

The commissioners discussed the different residential zones and the city's density requirements.

Tom Van Voorhees made a motion to move the Comprehensive Plan (Map) and Zone Change (map) to a public hearing once a traffic study is received. Jim Mock seconded the motion. ROLL CALL: Tom Van Voorhees, yes; Kay Harrison, yes; Chris Richey, yes; Pat Smith, yes; Jim Mock, yes. Motion passed

Planning Update:

- The code amendments for Accessory Dwelling Units (ADU) will be going to the second reading at the City Council on January 9, 2020. After the first reading, the Council left the setbacks for ADU's at 10 feet instead of accepting the proposed change to 5 feet. The commissioners discussed the setbacks and felt a 10 foot setback would make it too

difficult for a lot of properties to construct an ADU. They requested Mr. Humphrey relay their opinion to the City Council in his Planning Commission report at the January 9, 2020 meeting.

- The chiropractic office at 6th and Pine Street has started construction. There are some parking issues with the church next door that are being worked out.
- The firehouse on Scenic Avenue is under construction
- A Domino's Pizza has been approved for Freeman Road. Construction will begin after a lot line adjustment has been completed.
- The car wash and oil change facility on Biddle Road still need the final plat prior to beginning construction.
- Chicory Village is working with Public Works to resolve drainage issues
- The Pittview subdivision is putting in infrastructure prior to beginning construction
- Whitehawk is still waiting for a buyer. There is interest in the property, but the city is not aware of the status

VIII. ADMINISTRATIVE REVIEWS

IX. MISCELLANEOUS

X. ADJOURNMENT

Chris Richey moved to adjourn the meeting. Pat Smith seconded the motion. All members said "aye". Meeting was adjourned at 7:15 p.m.

Planning Commission Chair

Zone Change Employment Commercial to General Commercial



STAFF REPORT

February 4, 2020

AGENDA ITEM: Discussion

Public Hearing for a Zone Map Change application. The zoning is proposed for change from Employment Commercial (TOD) to General Commercial (TOD). The 0.99 acres are located in the western portion of the City's downtown corridor. The Project Site is identified on the Jackson County Assessor's map as 37-2W-10AA, Tax Lots 6000 and 6100. **Applicant:** City of Central Point. File No. CPA-19008. **Approval Criteria:** CPMC 17.10, Zoning Map and Zoning Code Text Amendments; and CPMC 17.65 TOD Districts and Corridors.

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

The City is initiating a minor zone map amendment from Employment Commercial (TOD) to General Commercial (TOD). This is proposed in order to comply with the comprehensive plan and to realign the zoning designation with proposed uses. The change will allow the future expansion of the Rogue Creamery, a local business. In consideration of this application, there are three criteria that must be addressed per CPMC 17.10.400:

1. **Comprehensive Plan Compliance.** The current land use plan designation for the property is Commercial, which is designed to accommodate a wide variety of commercial, office, and tourist uses. Per the Comprehensive Plan Land Use Element, the proposed General Commercial (TOD) zoning designation would be consistent with the Commercial classification and abuts properties to the southeast that are planned and zoned the same.
2. **Compatibility with Surrounding Land Uses and Zoning.** The proposed zone map amendment occurs on two (2) lots on the southeastern side of Pine and Haskell Streets. The properties are surrounded by Employment Commercial (TOD) lands to the north and east, General Commercial (TOD) to the south, MMR (TOD) to the west, and Civic to the northwest. This includes 5 adjacent industrial tax lots, 2 residential tax lots, and a civic school building.

The project area is covered with an empty industrial/commercial building that is currently being used for storage. Although the proposed zone change will allow for the expansion of the Rogue Creamery within a general commercial district, the character and compatibility between uses as redevelopment occurs will be a function of siting and design per CPMC 17.67, Design Standards- TOD District and TOD Corridor.

3. **Traffic Impacts/Transportation Planning Rule Compliance.** The State Transportation Planning Rule (TPR) in OAR 660-012-0060 requires changes to land use plans and land use regulations (i.e. Comprehensive Plan Map Amendments and Zoning Map Amendments) to be consistent with the function and capacity of existing and planned

transportation facilities. The Rogue Creamery is working with a local engineering group (Ausland) who has evaluated the impact the zone change will have on traffic within the vicinity (Attachment (“C”). Their conclusion is that the highest trip-generating uses permitted in the EC zoning district match those in the GC zoning district. Therefore there is no net increase in Daily Trips from one zone to the next. The Planning Department Supplemental Findings (Attachment “B”) reflect the conclusions in the engineer’s analysis.

ISSUES:

There are no issues relative to this application.

ATTACHMENTS:

- Attachment “A” – Comprehensive Plan and Zoning Maps
- Attachment “B” – Planning Department’s Findings
- Attachment “C” – Ausland Group Traffic Impact Analysis
- Attachment “D” – Resolution No. 878

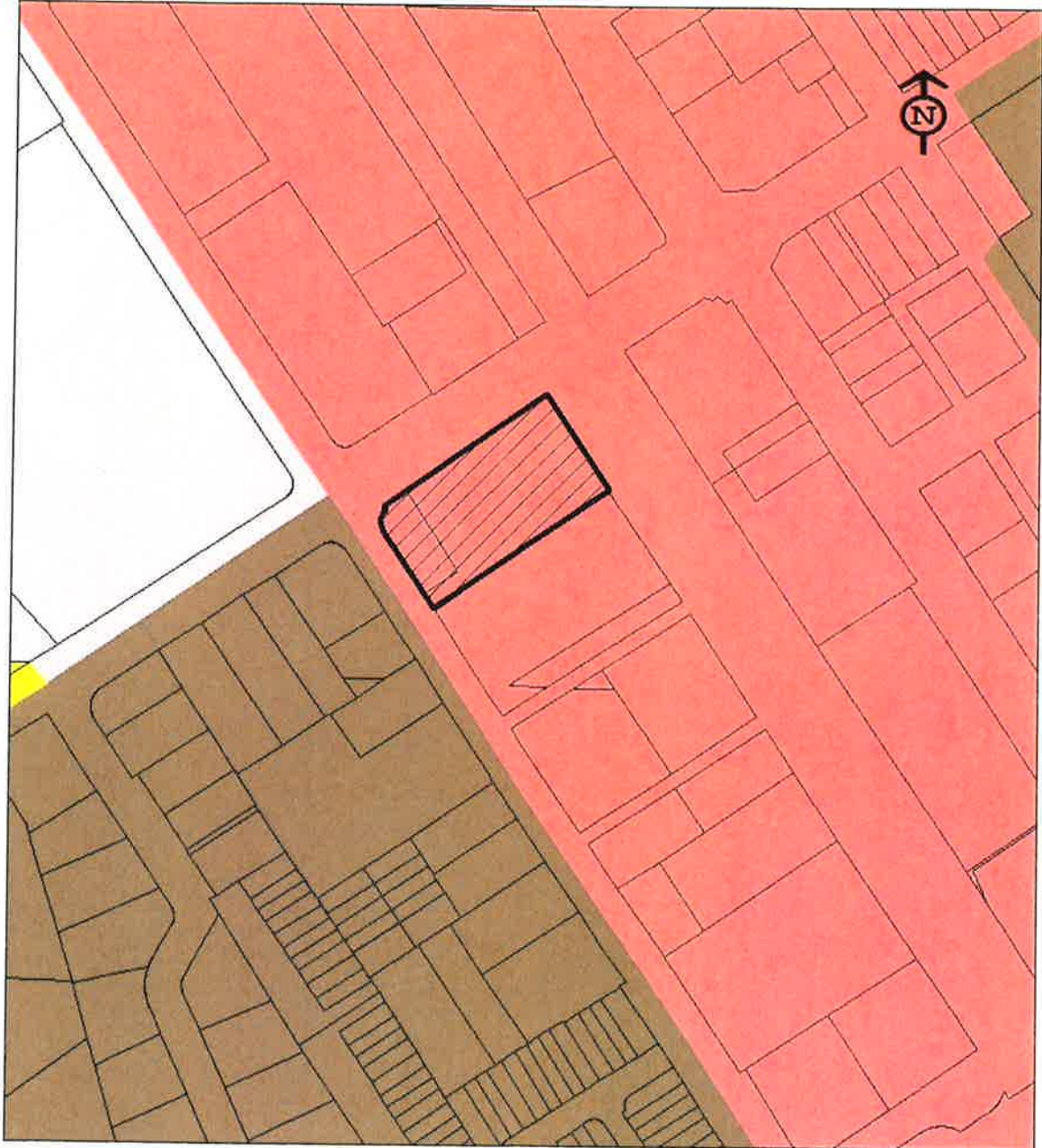
ACTION:

Open public hearing and consider the proposed amendment to the Zoning Map, close public hearing and 1) recommend approval to the City Council; 2) recommend approval with revisions; or 3) deny the application.

RECOMMENDATION:

Recommend approval of Resolution No. 878 Per the Staff Report dated February 4, 2020 and supported by Findings of Fact.

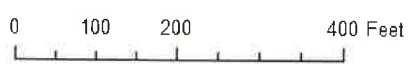
Figure 1. Current and Future Comprehensive Plan Map



Current & Future Land Use Designation

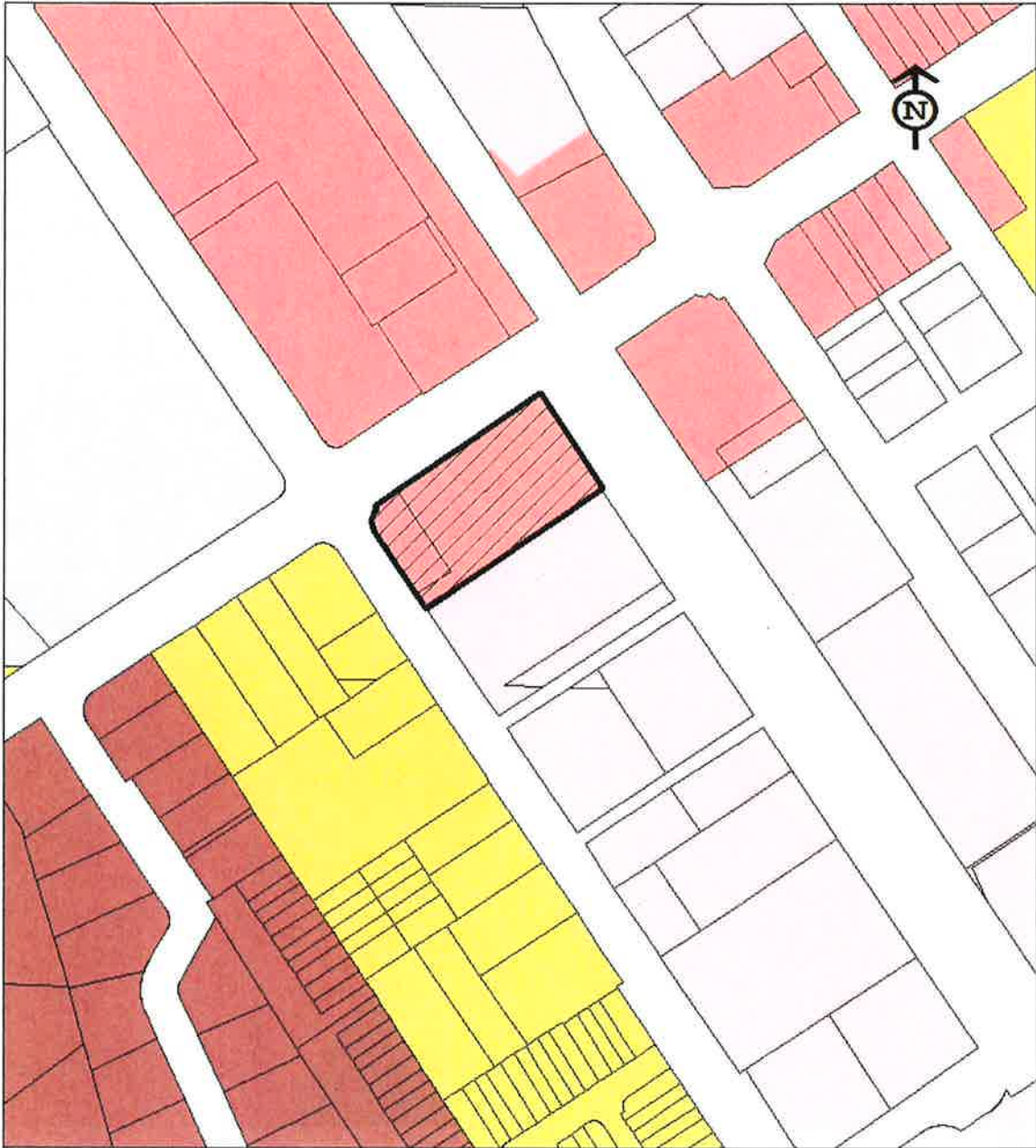
Legend

-  Study Area
-  Taxlots
-  Very Low Density
-  Medium Density
-  High Density
-  Commercial
-  Civic



Created by:
Eileen Mitchell, Community Planner 1
Date: 9/30/2019








Figure 2. Current Zone Designation




Current Zoning Designation



Legend

-  Study Area
-  Civic
-  EC (TOD)
-  GC (TOD)
-  HMR (TOD)
-  MMR (TOD)
-  R-3

0 105 210 420 Feet



Created by:
Eileen Mitchell, Community Planner 1
Date: 9/30/2019








Figure 3. Proposed Zone Designation

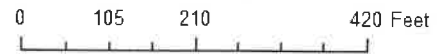


Proposed Zoning Designation



Legend

-  Study Area
-  Civic
-  EC (TOD)
-  GC (TOD)
-  HMR (TOD)
-  MMR (TOD)
-  R-3



Created by:
Eileen Mitchell, Community Planner 1
Date 9/30/2019

**FINDINGS OF FACT
AND
CONCLUSIONS OF LAW
File No: CPA-19008**

INTRODUCTION

Consideration of a Zoning Map Change of the Project Sites Employment Commercial (TOD) zoning to General Commercial (TOD).

Background:

The proposed minor zone map amendments are in reference to the Project Site located on the Jackson County Assessor's map as 37-2W-10AA, Tax Lots 6000 and 6100. The purpose of the minor zone map change is to comply with the comprehensive plan but also to change the zoning to accommodate planned development. The plans are in place for the expansion of the Rogue Creamery, a local business. Changing the zoning map from Employment Commercial (TOD) to General Commercial (TOD) would help accommodate this growth. An amendment will help the area to be developed appropriately and expand in a way that promotes a walkable pedestrian orientation to the general commercial uses along the western side of the downtown corridor.

These findings are prepared in four (4) parts:

1. Legislative Amendment Procedures (CPMC 17.05.400)
2. Zoning Map and Zoning Text Amendments (CPMC 17.10)
3. City of Central Point Comprehensive Plan
4. Transportation Planning Rule (OAR 660-012-0060(1))

PART 1 –CPMC 17.05.400, QUASI JUDICIAL PROCEDURES

CPMC 17.05.400(A). Pre-Application Conference. A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Section 17.05.600(C).

***Finding, CPMC 17.05.400(A):** Because the City of Central Point initiated this application to amend the zoning map, a pre-application conference is not required and will not be held.*

***Conclusion, CPMC 17.05.400(A):** Not applicable.*

CPMC 17.05.400(B)(1). Application Forms. Type III applications shall be made on forms provided by the community development director or designee for the land development permit requested.

Finding, CPMC 17.05.400(B)(1): *The proposed zoning map amendment is considered a Minor Amendment per Table 17.05.01 and Section 17.10.300(B). As demonstrated by the Findings for CPMC 17.05.400, the proposed text amendments have been processed in accordance with the timelines and requirements for Type III legislative applications.*

TABLE 17.05.1

LAND DEVELOPMENT PERMIT*	PROCEDURAL TYPE	APPLICABLE REGULATIONS	APPROVING AUTHORITY	120-DAY RULE
Zoning Map and Zoning and Land Division Code Text Amendments				
Minor	Type III	Chapter 17.10	City Council	Yes
Major	Type IV	Chapter 17.10	City Council	No

Conclusion, CPMC 17.05.400(B)(1): *Consistent.*

CPMC 17.05.400(B)(2). Submittal Requirements. When a Type III application is required, it shall include;

- a. A completed application form with required attachments;
- b. One copy of a narrative statement (findings and conclusions) that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Note: Additional information may be required under the specific applicable regulations for each approval as referenced in Table 17.05.1;
- c. The required fee; and
- d. One set of pre-addressed mailing labels for all real property owners of record who will receive a notice of the application as required in subsection C of this section. The records of the Jackson County assessor’s office are the official records for determining ownership. The applicant shall produce the notice list using the most current Jackson County assessor’s real property assessment records to produce the notice list. The city shall mail the notice of application. The failure of a property owner to receive notice as provided in subsection C of this section shall not invalidate such proceedings provided the city can demonstrate by affidavit that such notice was given.

Finding, CPMC 17.05.400(B)(2): *The City of Central Point’s application to amend the zoning map relative to the properties off Pine and Haskell Streets includes the application form, findings, required fee, and pre-addressed mailing labels.*

Conclusion, CPMC 17.05.400(B)(2): *Consistent.*

CPMC 17.05.400(C). Notification Requirements.

1. Mailed Notice. The city shall mail the notice of the Type III hearing. Notice of a Type III hearing shall be given by the community development director or designee in the following manner:
 - (a) At least twenty days before the hearing date, or if two or more hearings are allowed, ten days before the first hearing, notice shall be mailed to:
 - i. The applicant and all owners or contract purchasers of record of the property on the most recent property tax assessment roll that is the subject of the application;
 - ii. All property owners of record on the most recent property tax assessment roll within two hundred fifty feet of the site, including tenants of a mobile home or manufactured dwelling park;
 - iii. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city. The city may notify other affected agencies. The city shall notify the county road authority, or ODOT, and rail authority when there is a proposed development abutting or within two hundred fifty feet of an affected transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application;
 - iv. Owners of airports in the vicinity shall be notified of a proposed zone change in accordance with ORS 227.175;
 - v. Any neighborhood or community organization recognized by the city council and whose boundaries include the property proposed for development;
 - vi. Any person who submits a written request to receive notice;
 - vii. At the applicant's discretion, notice may also be provided to the Department of Land Conservation and Development.

Finding, CPMC 17.05.400(C)(1)(a): *The City of Central Point's application includes a mailed Notice of a Type III hearing. All applicable parties will be mailed within the specified timeframe.*

Conclusion, CPMC 17.05.400(C)(1)(a): *Consistent.*

- (b) Content of Notice. Notice of a Type III hearing shall be mailed per this subsection C and shall contain the following information:
 - i. An explanation of the nature of the application and the proposed land use or uses that could be authorized for the property;
 - ii. The applicable criteria and standards from the zoning and subdivision code and comprehensive plan that apply to the application;

- iii. The street address or other easily understood geographical reference to the subject property;
- iv. The date, time, and location of the public hearing;
- v. A statement that the failure to raise an issue in person, or in writing at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue prior to the close of the final hearing means that an appeal based on that issue cannot be raised at the State Land Use Board of Appeals;
- vi. The name of a city representative to contact and the telephone number and email address where additional information on the application may be obtained;
- vii. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at the city of Central Point City Hall at no cost and that copies shall be provided at a reasonable cost;
- viii. A statement that a copy of the city's staff report and recommendation to the hearings body shall be available for review at no cost at least seven days before the hearing, and that a copy shall be provided on request at a reasonable cost;
- ix. A general explanation of the requirements to submit testimony, and the procedure for conducting public hearings; and
- x. The following notice:

***Finding CPMC 17.05.400(C)(1)(b):** The content included within the notices conform with CPMC 17.05.400(C). This can be validated within the affidavit of publication.*

***Conclusion CPMC 17.05.400(C)(1)(b):** Consistent.*

- (c) The community development director or designee shall prepare an affidavit of notice and the affidavit shall be made a part of the file. The affidavit shall state the date that the notice was mailed to the persons who were sent notice.

***Finding CPMC 17.05.400(C)(1)(c):** An affidavit will be published in a newspaper for the proposed zone map amendment, and the DLCD was notified.*

***Conclusion CPMC 17.05.400(C)(1)(c):** Consistent.*

- 2. On-Site Posting. Public notice signs shall be posted on the project site for any Type III land use action according to the following:
 - a. Contents of Sign. Notice signs shall include a description of the proposed land use action, the date of the public hearing, and the City of Central Point file number for the proposed land use action.
 - b. Location and Number of Signs. A posted notice sign must be placed on each existing street frontage of the project site. If a frontage is over six hundred feet long, a notice is required for each six hundred feet or fraction thereof. Notice signs must be posted within ten feet of a property line along the street and must be visible to pedestrians and

motorists. Notice signs may not be posted in a public right-of-way unless the land use action specifically pertains to a public right-of-way. If posting must occur in the right-of-way, care should be taken to comply with clear vision area requirements as set forth in Section 17.60.120.

- c. Sign Posting Schedule. The required sign(s) shall be posted not later than twenty-one days prior to the first public hearing date of each body that hears the application. Posted signs shall be removed within ten days following the final decision.
- d. Affidavit of On-Site Posting. The director or designee shall prepare an affidavit of on-site notice posting and the affidavit shall be made part of the file. The affidavit shall state the date that the notice was posted, the number of notices posted and the name of the person(s) who posted the notice.

***Finding, CPMC 17.05.400(C)(2):** In accordance with Municipal Code Section 17.05.400(C)(2), notice shall be posted on site concerning the Type III land use action for the zone map amendment.*

***Conclusion, CPMC 17.05.400(C)(2):** Consistent.*

D. Conduct of the Public Hearing.

- 1. At the commencement of the hearing, the hearings body shall state to those in attendance:
 - a. The applicable approval criteria and standards that apply to the application or appeal;
 - b. A statement that testimony and evidence shall be directed at the approval criteria described in the staff report, or other criteria in the comprehensive plan or land use regulations that the person testifying believes to apply to the decision;
 - c. A statement that failure to raise an issue with sufficient detail to give the hearings body and parties an opportunity to respond to the issue means that no appeal may be made to the State Land Use Board of Appeals on that issue;
 - d. Before the conclusion of the first evidentiary hearing, any participant may ask the hearings body for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The hearings body shall grant the request by scheduling a date to finish the hearing (a "continuance") per subsection (D)(2) of this section, or by leaving the record open for additional written evidence or testimony per subsection (D)(3) of this section.

***Finding CPMC 17.05.400(D)(1):** Public hearings are conducted in accordance with state public meeting laws and the procedures in this section as evidenced by the record of proceedings maintained by the City for each meeting including those duly noticed meetings for this application.*

***Conclusion CPMC 17.05.400(D)(1):** Consistent.*

- 2. If the hearings body grants a continuance, the hearing shall be continued to a date, time, and place at least seven days after the date of the first evidentiary hearing. An opportunity shall be provided at the second hearing for persons to present and respond to new written evidence and oral testimony. If new written evidence is submitted at the second hearing,

any person may request, before the conclusion of the second hearing, that the record be left open for at least seven additional days, so that they can submit additional written evidence or testimony in response to the new written evidence.

Finding CPMC 17.05.400(D)(2): *Continuations of the public hearing will abide by the rules and regulations of CPMC 17.05.400.*

Conclusion CPMC 17.05.400(D)(2): *Consistent.*

3. If the hearings body leaves the record open for additional written evidence or testimony, the record shall be left open for at least seven days after the hearing. Any participant may ask the city in writing for an opportunity to respond to new evidence submitted during the period that the record was left open. If such a request is filed, the hearings body shall reopen the record to allow rebuttal evidence.
 - a. If the hearings body reopens the record to admit new evidence or testimony, any person may raise new issues that relate to that new evidence or testimony;
 - b. An extension of the hearing or record for a Type III application pursuant to this subsection D is subject to the limitations of ORS [227.178](#) ("one-hundred-twenty-day rule"), unless the continuance or extension is requested or agreed to by the applicant;
 - c. If requested by the applicant, the hearings body shall allow the applicant at least seven days after the record is closed to all other parties to submit final written arguments in support of the application, unless the applicant expressly waives this right. The applicant's final submittal shall be part of the record but shall not include any new evidence. For limited land use decisions, the seven-day period shall not be subject to the limitations of ORS [227.178](#) and [227.179](#);
 - d. The record shall contain all testimony and evidence that is submitted to the city and that the hearings body has not rejected;
 - e. In making its decision, the hearings body may take official notice of facts not in the hearing record (e.g., local, state, or federal regulations; previous city decisions; case law). The review authority must announce its intention to take notice of such facts in its deliberations, and allow persons who previously participated in the hearing to request the hearing record be reopened, if necessary, to present evidence concerning the noticed facts;
 - f. The city shall retain custody of the record until the city issues a final decision and all appeal deadlines have passed.

Finding CPMC 17.05.400(D)(3): *If the record is left open for additional evidence or testimony, it shall abide by the rules and regulations of CPMC 17.05.400.*

Conclusion CPMC 17.05.400(D)(3): *Consistent.*

4. Participants in a quasi-judicial hearing are entitled to an impartial review authority as free from potential conflicts of interest and prehearing ex parte contacts (see subsection (D)(5) of this section) as reasonably possible. However, the public has a countervailing right of free access to public officials. Therefore:

ATTACHMENT "B"

- a. At the beginning of the public hearing, hearings body members shall disclose the substance of any prehearing ex parte contacts (as defined in subsection (D)(5) of this section) concerning the application or appeal. He or she shall also state whether the contact has impaired their impartiality or their ability to vote on the matter and shall participate or abstain accordingly. Hearing participants shall be entitled to question hearing body members as to ex parte contacts and to object to their participation as provided in subsection (D)(5)(b) of this section;
- b. A member of the hearings body shall not participate in any proceeding in which they, or any of the following, has a direct or substantial financial interest: their spouse, brother, sister, child, parent, father-in-law, mother-in-law, partner, any business in which they are then serving or have served within the previous two years, or any business with which they are negotiating for or have an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the hearing where the action is being taken;
- c. Disqualification of a member of the hearings body due to contacts or conflict may be ordered by a majority of the members present and voting. The person who is the subject of the motion may not vote on the motion to disqualify;
- d. If all members of the hearings body abstain or are disqualified, the city council shall be the hearing body. If all members of the city council abstain or are disqualified, a quorum of those members present who declare their reasons for abstention or disqualification shall be requalified to make a decision;
- e. Any member of the public may raise conflict of interest issues prior to or during the hearing, to which the member of the hearings body shall reply in accordance with this section.

Finding CPMC 17.05.400(D)(4): *Public hearings are conducted in accordance with state public meeting laws and the procedures in this section as evidenced by the record of proceedings maintained by the City for each meeting including those duly noticed meetings for this application.*

Conclusion CPMC 17.05.400(D)(4): *Consistent.*

5. *Ex Parte Communications.*

- a. *Members of the hearings body shall not:*
 - i. *Communicate directly or indirectly with any applicant, appellant, other party to the proceedings, or representative of a party about any issue involved in a hearing without giving notice per subsection (C) of this section;*
 - ii. *Take official notice of any communication, report, or other materials outside the record prepared by the proponents or opponents in connection with the particular case, unless all participants are given the opportunity to respond to the noticed materials.*
- b. *No decision or action of the hearings body shall be invalid due to ex parte contacts or bias resulting from ex parte contacts, if the person receiving contact:*

- i. Places in the record the substance of any written or oral ex parte communications concerning the decision or action; and*
 - ii. Makes a public announcement of the content of the communication and of all participants' right to dispute the substance of the communication made. This announcement shall be made at the first hearing following the communication during which action shall be considered or taken on the subject of the communication.*
- c. A communication between city staff and the hearings body is not considered an ex parte contact.*

Finding CPMC 17.05.400(D)(5): Ex Parte Communications will abide by the rules and regulations of CPMC 17.05.400(D)(5).

Conclusion CPMC 17.05.400(D)(5): Consistent.

6. Presenting and Receiving Evidence.

- a. The hearings body may set reasonable time limits for oral presentations and may limit or exclude cumulative, repetitious, irrelevant or personally derogatory testimony or evidence;
- b. No oral testimony shall be accepted after the close of the public hearing. Written testimony may be received after the close of the public hearing only as provided in subsection (D)(3) of this section;
- c. Members of the hearings body may visit the property and the surrounding area, and may use information obtained during the site visit to support their decision, if the information relied upon is disclosed at the beginning of the hearing and an opportunity is provided to dispute the evidence under subsection (D)(5)(b) of this section.

Finding CPMC 17.05.400(D)(6): The hearings body will follow rules and regulations within CPMC 17.05.400(D)(6) in regards to presenting and receiving evidence.

Conclusion CPMC 17.05.400(D)(6): Consistent.

CPMC 17.05.400(E).

- 1. Basis for Decision. Approval or denial of a Type III application shall be based on standards and criteria in the development code. The standards and criteria shall relate approval or denial of a discretionary development permit application to the development regulations and, when appropriate, to the comprehensive plan for the area in which the development would occur and to the development regulations and comprehensive plan for the city as a whole;

***Finding CPMC 17.05.400(E)(1):** At the _____ meeting, the approval of the Type III application was based on standards and criteria in the development code.*

***Conclusion CPMC 17.05.400(E)(1):** Consistent.*

2. Findings and Conclusions. Approval or denial shall be based upon the criteria and standards considered relevant to the decision. The written decision shall explain the relevant criteria and standards, state the facts relied upon in rendering the decision, and justify the decision according to the criteria, standards, and facts;

***Finding CPMC 17.05.400(E)(2):** The approval or denial of the findings were based upon the criteria and standards deemed relevant to the decision and as set forth within Municipal Code.*

***Conclusion CPMC 17.05.400(E)(2):** Consistent.*

3. Form of Decision. The hearings body shall issue a written decision containing the findings and conclusions stated in subsection (E)(2) of this section, which either approves, denies, or approves with specific conditions. The hearings body may also issue appropriate intermediate rulings when more than one permit or decision is required;

***Finding CPMC 17.05.400(E)(3):** On _____, 2020, the hearings body issued a written decision containing the findings and conclusions stated in subsection (E)(2) which approved the decision.*

***Conclusion CPMC 17.05.400(E)(3):** Consistent.*

4. Decision-Making Time Limits. The written decision for any Type III action (including an appeal from a Type II decision) shall be filed with the community development director or designee within ten days after the close of the deliberation;

***Finding CPMC 17.05.400(E)(4):** The written decision was filed within the designated 10 day time limit pursuant to CPMC 17.05.400(E)(3).*

***Conclusion CPMC 17.05.400(E)(4):** Consistent.*

5. Notice of Decision. Written notice of a Type III decision shall be mailed to the applicant and to all participants of record within ten days after the hearings body decision. Failure of any person to receive mailed notice shall not invalidate the decision; provided, that a good faith attempt was made to mail the notice.

Finding CPMC 17.05.400(E)(5): *Written notice of decision was mailed to the applicant and to all participants of record within ten days after the hearings body decision pursuant to CPMC 17.05.400(E)(5).*

Conclusion CPMC 17.05.400(E)(5): *Consistent.*

6. Final Decision and Effective Date. The decision of the hearings body on any Type III application is final for purposes of appeal on the date it is mailed by the city. The decision is effective on the day after the local appeal period expires. If an appeal of a Type III decision is filed, the decision becomes effective on the day after the local appeal is decided by the hearings body. Appeal process is governed by Section [17.05.550](#). An appeal of a land use decision to the State Land Use Board of Appeals must be filed within twenty-one days after the city council's written decision is mailed by the city.

Finding CPMC 17.05.400(E)(6): *A decision of the hearings body was made official on February 13th, 2020 when it was effectively mailed by the City.*

Conclusion CPMC 17.05.400(E)(6): *Consistent.*

F. Extensions. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one-year extension of the original or last extension approval period, provided:

1. The land development permit authorizes extensions;
2. No changes are made to the original application as approved by the city;
3. There have been no changes in the zoning, land division code, or applicable comprehensive plan provisions on which the approval was based. In the case where the plan conflicts with a code or comprehensive plan change, the extension shall be either:
 - a. Denied; or
 - b. At the discretion of the community development director, the request for extension may be re-reviewed as a modification per Section 17.09.400;
4. The extension request is filed on or before the expiration of the original or latest extension approval per subsection (E)(6) of this section;
5. If the time limit expired and no extension request has been filed, the application shall be void. (Ord. 2041 §2, 2017; Ord. 2033 §4, 2017; Ord. 1989 §1(part), 2014; Ord. 1874 §1(part), 2006).

Finding CPMC 17.05.400(F): *There were no extensions requested during the extension approval period.*

Conclusion CPMC 17.05.400(F): *Consistent.*

PART 2- CPMC 17.10, ZONING MAP AND ZONING CODE TEXT AMENDMENTS

17.10.200 Initiation of amendments.

A proposed amendment to the code or zoning map may be initiated either:

- A. A resolution by the planning commission to the city council;
- B. A resolution of intent by the city council; or for zoning map amendments;
- C. An application by one or more property owners (zoning map amendments only), or their agents, of property affected by the proposed amendment. The amendment shall be accompanied by a legal description of the property or properties affected; proposed findings of facts supporting the proposed amendment, justifying the same and addressing the substantive standards for such an amendment as required by this chapter and by the Land Conservation and Development Commission of the state. (Ord. 1989 §1(part), 2014).

Finding CPMC 17.10.200: The initiation of amendments was made by the planning commission to the city council.

Conclusion CPMC 17.10.200: Consistent.

17.10.300 Major and minor amendments.

There are two types of map and text amendments:

- A. Major Amendments. Major amendments are legislative policy decisions that establish by law general policies and regulations for future land use decisions, such as revisions to the zoning and land division ordinance that have widespread and significant impact beyond the immediate area. Major amendments are reviewed using the Type IV procedure in Section 17.05.500.
- B. Minor Amendments. Minor amendments are those that involve the application of adopted policy to a specific development application, and not the adoption of new policy (i.e., major amendments). Minor amendments shall follow the Type III procedure, as set forth in Section 17.05.400. The approval authority shall be the city council after review and recommendation by the planning commission. (Ord. 1989 §1(part), 2014; Ord. 1874 §3(part), 2006).

Finding CPMC 17.10.300: The proposed zone amendments involve the application of adopted policy instead of the adoption of new policy. The proposed amendments will not have widespread or significant impacts and as such are considered Minor Amendments in accordance with CPMC 17.10.300(B). As evidenced by the Findings in Part 1 of these Findings, the Minor Amendments are quasi-judicial and have been processed in accordance with the Type III procedures set forth in CPMC 17.05.400.

Conclusion CPMC 17.10.300: Consistent.

17.10.400 Approval criteria.

A recommendation or a decision to approve, approve with conditions or to deny an application for a text or map amendment shall be based on written findings and conclusions that address the following criteria:

- A. Approval of the request is consistent with the applicable statewide planning goals (major amendments only);

***Finding CPMC 17.10.400(A):** The proposed zone amendment is not considered a major amendment.*

***Conclusion CPMC 17.10.400(A):** Not applicable.*

- B. Approval of the request is consistent with the Central Point comprehensive plan (major and minor amendments);

***Finding CPMC 17.10.400(B):** See Part 3 Findings- Central Point Comprehensive Plan.*

***Conclusion CPMC 17.10.400(B):** Consistent.*

- C. If a zoning map amendment, findings demonstrating that adequate public services and transportation networks to serve the property are either available, or identified for construction in the city's public facilities master plans (major and minor amendments); and

***Finding CPMC 17.10.400(C):** The proposal is for a zone amendment. The area is currently zoned Employment Commercial, but intends to become General Commercial. Although the property will be going through a zone change, there will be no comprehensive plan map changes. Similarly, the area is within the main downtown corridor and contains adequate public services and transportation infrastructure.*

***Conclusion CPMC 17.10.400(C):** Consistent.*

- D. The amendment complies with OAR 660-012-0060 of the Transportation Planning Rule. (Ord. 1989 §1(part), 2014; Ord. 1874 §3(part), 2006. Formerly 17.10.300(B)).

***Finding CPMC 17.10.400(D):** As demonstrated in Part 5 Findings- Transportation Planning Rule, the proposed text do not significantly affect existing or planned transportation facilities.*

***Conclusion CPMC 17.10.400(D):** Consistent.*

PART 3- CITY OF CENTRAL POINT COMPREHENSIVE PLAN:

The proposed amendments address land use within the project area near Pine and Haskell Streets. Applicable policies in the comprehensive plan include those in the Land Use Element.

Land Use Element

Commercial Goal 1: To create an economically strong and balanced commercial sector of the community that is easily accessible, attractive, and meets the commercial needs of the local market area.

Commercial Goal 1 Finding: *The proposed area currently is along the TOD General Commercial Corridor. By amending the zoning district, it will balance the commercial lands and meet the needs of the local market area by realigning the areas purpose with that of the general vicinity.*

Commercial Goal 1 Conclusion: *Consistent.*

Commercial Goal 2: Continue to pursue implementation of the Downtown and East Pine Street Corridor urban renewal plan.

Commercial Goal 2 Finding: *The proposed zone amendment at the corner of East Pine and Haskell Streets lies within the boundaries of the Downtown and East Pine Street Corridor urban renewal plan. Although the plan does not specifically mention the rezoning of the area as a concern, it does mention economic incentives and projects aimed towards the revitalization of the area. The relevant goal within the Plan states its intent to, "Make the Area attractive for the stabilization, expansion, rehabilitation or redevelopment of existing businesses, industries and housing." By rezoning the property, projects intended for general commercial uses may acquire the land and help redevelop the area.*

Commercial Goal 2 Conclusion: *Consistent.*

Commercial Policy 1: Maintain the zoning of all commercial areas of Central Point as necessary to comply with the Economic Element.

Commercial Policy 1 Finding: *The proposed zone amendment is in compliance with the Economic Element, as well as maintains the zoning of all commercial areas of Central Point. As described in the Economic Element, one of the three exceptionally competitive and growing industries within specialty food manufacturing. Because the property is intended for potential expansion of the Rogue Creamery, this would be considered one of Central Point's outperforming niche markets. The rezoning will create adequate zoning lands for the expansion of this successful industry.*

Commercial Policy 1 Conclusion: *Consistent.*

Commercial Policy 2: Undertake an in-depth study of the downtown business district and develop a comprehensive improvement plan that would include such considerations as traffic circulation and off-street parking, pedestrian and bicycle facilities and access, structural design guidelines, and guidelines for landscaping and signing.

Commercial Policy 2 Finding: *The proposed zone change does not involve, or otherwise affect, the development of an in-depth study of the downtown business district or a comprehensive improvement plan.*

Commercial Policy 2 Conclusion: *Not applicable.*

Commercial Policy 3: Encourage the development of shared commercial parking areas in the downtown area to be carried out by the local businesses with City assistance.

Commercial Policy 3 Finding: *The proposed zone amendment does not involve, or otherwise affect, the encouragement of the development of shared commercial parking areas in the downtown area.*

Commercial Policy 3 Conclusion: *Not applicable.*

Commercial Policy 4: Promote the planned integration of abutting commercial development for the purpose of more efficient customer parking, better design and landscaping, coordinated signing, and increased retail sales.

Commercial Policy 4 Finding: *The proposed zone amendment does not involve, or otherwise affect, the promotion of planned integration of abutting commercial developments.*

Commercial Policy 4 Conclusion: *Not applicable.*

Commercial Policy 5: For that section of Highway 99 between Beall Lane and the High School implement the 99 Corridor Plan to improve the corridor, traffic circulation, and the overall visual and aesthetic character of the area.

Commercial Policy 5 Finding: *The proposed zone amendment does not involve, or otherwise affect, the implementation of the 99 Corridor Plan to improve the corridor, traffic circulation, and overall visual and aesthetic character of the area of Highway 99 between Beall lane and the High School.*

Commercial Policy 5 Conclusion: *Not applicable.*

PART 4- TRANSPORTATION PLANNING RULE

Section 660-012-0060(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- a) Change the functional classification of an existing or planned transportation facility;
- b) Change standards implementing a functional classification system; or
- c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow types or levels of land uses that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding Policy: *The proposed zone amendment to the corner of Pine and Haskell Streets from Employment Commercial to General Commercial is minor, and will not change the transportation system in any significant way. This finding is reinforced by the analysis completed by the Ausland Group and summarized in Attachment "C" of the staff report.*

Conclusion Policy: *Consistent.*

January 21, 2020

City of Central Point
Tom Humphrey AICP
130 S. 3rd. Street
Central Point, OR 97502

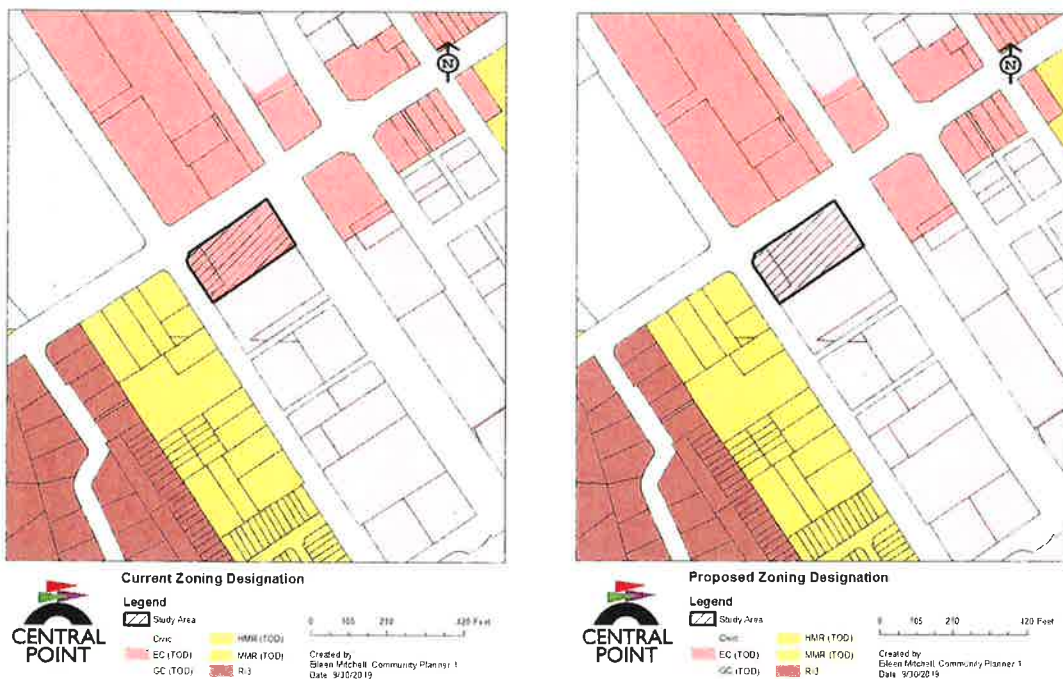
Re: Traffic Impacts of Zone Change for Tax Lots 6000 & 6100 (Map 372W10AA)

Dear Mr. Humphrey,

This letter provides a summary of findings regarding the traffic impact of the pending zone change for the two properties located at the corner of W. Pine and S. Haskell Streets, (map 372W10AA, tax lots 6000 and 6100).

BACKGROUND

A zone change application has been submitted for the subject properties, to change from Employment Commercial (EC) to General Commercial (GC) zoning. The lots are within the Transit Oriented Development (TOD) district, which includes both EC and GC zonings per Article 17.65.040 Land Use – TOD. Both properties are adjacent to both GC zoned property and EC zoned property per the below map.



3935 Highland Avenue
Grants Pass, OR 97526
office: 541.476.3788

321 Mill Street, Ste #3
Eugene, OR 97401
office: 541.345.1094

130 A Street, Ste #6F
Ashland, OR 97520
office: 541.482.0923

WWW.AUSLANDGROUP.COM

TRIP GENERATION ANALYSIS

The pending zone change requires an assessment of the potential traffic increase from the re-zone from Employment Commercial (EC) zoning to General Commercial (GC) zoning. Therefore, we performed an analysis comparing the "highest trip generating use" in both zones to assess the potentiality of a trip generation increase.

We began by assessing all of the allowed uses in both zones for their trip generation potential, by matching up the land use category in Table 1 of the TOD District Land Uses (Central Point Municipal Code), with the most similar classifications in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition. **Per our study of the permitted uses in both zones, the highest trip generating use is the same in each zone, "Retail – Specialty".** Per ITE classifications (Chart 814, Series 800); Retail – Specialty, is a high trip generating classification. This use relates closest to the Retail – Sales and Service use which is permitted for both zones under the Central Point Municipal Code.

Since the highest trip generating use is the same in both zones, we can already conclude that there is "no impact" on trip generation from the zone change. For clarity, we have summarized the trip generation "worst-case" land use scenario for both zones on Table A below:

Table A – Estimated Trip Generation; Weekday Daily, and AM and PM Hours

TRIP GENERATION ANALYSIS
 "Worst-Case" Land Use Scenario

ROGUE CREAMERY
 Northeast Corner of W. Pine Street & S. Haskell Street - Central Point, OR
 January 2020

	Existing Zoning (EC)		Proposed Zoning (GC)		Net Change (Prop-Exist)
Tax Lot	Tax Lot 6000 + 6100		Tax Lot 6000 + 6100		
Business Type	Retail - Specialty		Retail - Specialty		
ITE Land Use Code	814		814		
Building Size (KSF)	10.00	0.00	10.00	0.00	0.00
Dwelling Units	0.00	0.00	0.00	0.00	0.00
Lot Size (AC)	0.99	-	0.99	-	0.00
Daily Trip Rate (Trip/KSF or Trip/DU)	44.32	-	44.32	-	
Daily Trips	443.20	-	443.20	-	0.00
Passby Reduction	0%	-	0%	-	
Daily Trips w/ Passby Reduction	443.20	-	443.20	-	0.00
Daily Trips/Acre	447.68	-	447.68	-	0.00
AM Peak Trip Rate (Trip/KSF or Trip/DU)	6.84	-	6.84	-	
AM Peak Trips	68.40	-	68.40	-	0.00
AM Peak Trips w/ Passby Reduction	68.40	-	68.40	-	0.00
PM Peak Trip Rate (Trip/KSF or Trip/DU)	2.71	-	2.71	-	
PM Peak Trips	27.10	-	27.10	-	0.00
PM Peak Trips w/ Passby Reduction	27.10	-	27.10	-	0.00

References: *Trip Generation Manual, 8th Ed., Institute of Transportation Engineers, 2008*
Trip Generation Handbook, 2nd Ed., Institute of Transportation Engineers, 2004

Conclusion

The highest trip-generating permitted use is the same in both Employment Commercial (EC) and General Commercial (GC) zoning. Therefore there is no increase of traffic impact for the pending zone change on the subject parcels. This includes no net increase of Daily Trips, no net increase of AM Peak Hour trips, and no net increase of PM Peak Hour trips.

Per the City of Central Point Municipal Code Article 17.05.900 Traffic Impact Analysis; a traffic impact analysis (TIA) is required if a non-residential development is projected to generate an increase in peak hour volume of a particular movement to and from the state highway by twenty percent or more, or increase in site traffic volume generation of two hundred fifty (250) average daily trips (ADT) or more. The estimated trip generation differential for the proposed zone change is zero, and therefore will not require a TIA.

Sincerely,



EXPIRES: 12/31/2021

Kelsy Ausland, PE
Ausland Group, President

Grant Road Annexation

City of Central Point, Oregon
140 S 3rd Street, Central Point, OR 97502
541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Community Development
Tom Humphrey, AICP
Community Development Director

STAFF REPORT
February 4, 2020

AGENDA ITEM: FILE NO: 17001

Public Hearing of an Annexation application at 3664 Grant Road to add 3.16 acres of land into the City limits for low density residential development. The property is identified on the Jackson County Assessor's map as 37S 2W 10BC Tax Lot 2200. **Applicant:** WL Moore Construction, Inc. Agent: Herb Farber

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

The applicant would like to bring his property into the City and develop it for residential purposes. The property must be annexed in order to apply the city's land use low density residential and use designation, a zone change and subsequent development. The subject property is adjacent to the city limits along all property lines as illustrated by the site map, Attachment A.

Currently the subject property is occupied with single family dwelling and zoned by Jackson County as Rural Residential (RR-2.5). It is designated Residential on the City's Comprehensive Plan (Map) and Zoning Map. When annexed, the property will no longer have a County zoning classification. The existing building will be removed in order to redevelop the property.

AUTHORITY:

ORS 222.125 authorizes annexation of property contiguous to cities when all of the owners of land and a majority of electors consent. CPMC 1.20 vests the City Council with the authority to order the annexation of unincorporated territory in the Urban Growth Boundary into the City of Central Point. The Planning Commission is involved in the review of this annexation because it is associated with land use changes and staff wanted commission review before sending it to the City Council. This annexation is a 'full consent annexation' since the sole property owner has consented in writing to the annexation.

Annexation Criteria:

1. **Written Consents:** The annexation application includes written consent to annex from 100% of the property owners and a majority of the electors within the annexation territory, who have signed the annexation petition, which is evidence of written consent to annexation (Attachment B). Accordingly, pursuant to ORS 222.125 and CPMC 1.24.020, the City Council may order the annexation without notice, hearing or election.

2. **Contiguous to City Limits:** Pursuant to ORS 222.111, territory proposed for annexation must be contiguous to the City or separated from it only by a public right-of-way or a stream, lake or other body of water. The subject annexation area is contiguous to Central Point to the north, east and south.
3. **Within Urban Growth Boundary (UGB):** The annexation territory is within the Urban Growth Boundary of Central Point and is in compliance with the City-County Urban Growth Boundary and Policy Agreement of September 1984 and amended in 1998.
4. **Orderly Provision of Public Facilities:** The City-County Urban Growth Boundary and Policy Agreement requires that, in considering an annexation, urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth allowed by the Comprehensive Plan within the annexation area prior to or concurrent with the development. Public Works and Rogue Valley Sewer Services have reviewed the existing public facilities and their proximity to the annexation area and concluded that public facilities can be provided or extended to the site. Any future enhancements of these facilities made necessary by development of the annexation area will be the responsibility of the developer and regulated through the City's land use application process. This will result in an orderly provision of public facilities to the annexation area (Attachment C).
5. **Duly noticed and advertised notice of public hearing:** Pursuant to ORS 222.120 notice of the hearing was published for the Planning Commission meeting on February 4, 2020 and for the City Council meeting on February 13, 2020, in the Mail Tribune newspaper and notice was posted in four (4) public locations. In addition, on January 24, 2020 notice was mailed to each property owner of record within 250 feet of the proposed annexation.

ISSUES:

There are no issues relative to this application:

ATTACHMENTS:

Attachment "A"- Graphic Illustration of the subject property

Attachment "B"- Annexation Petition

Attachment "C"- Applicant Findings for Orderly Provision of Public Facilities

Attachment "D"- City Council Resolution No. ___ Ordering Annexation

Exhibit A: Written Description

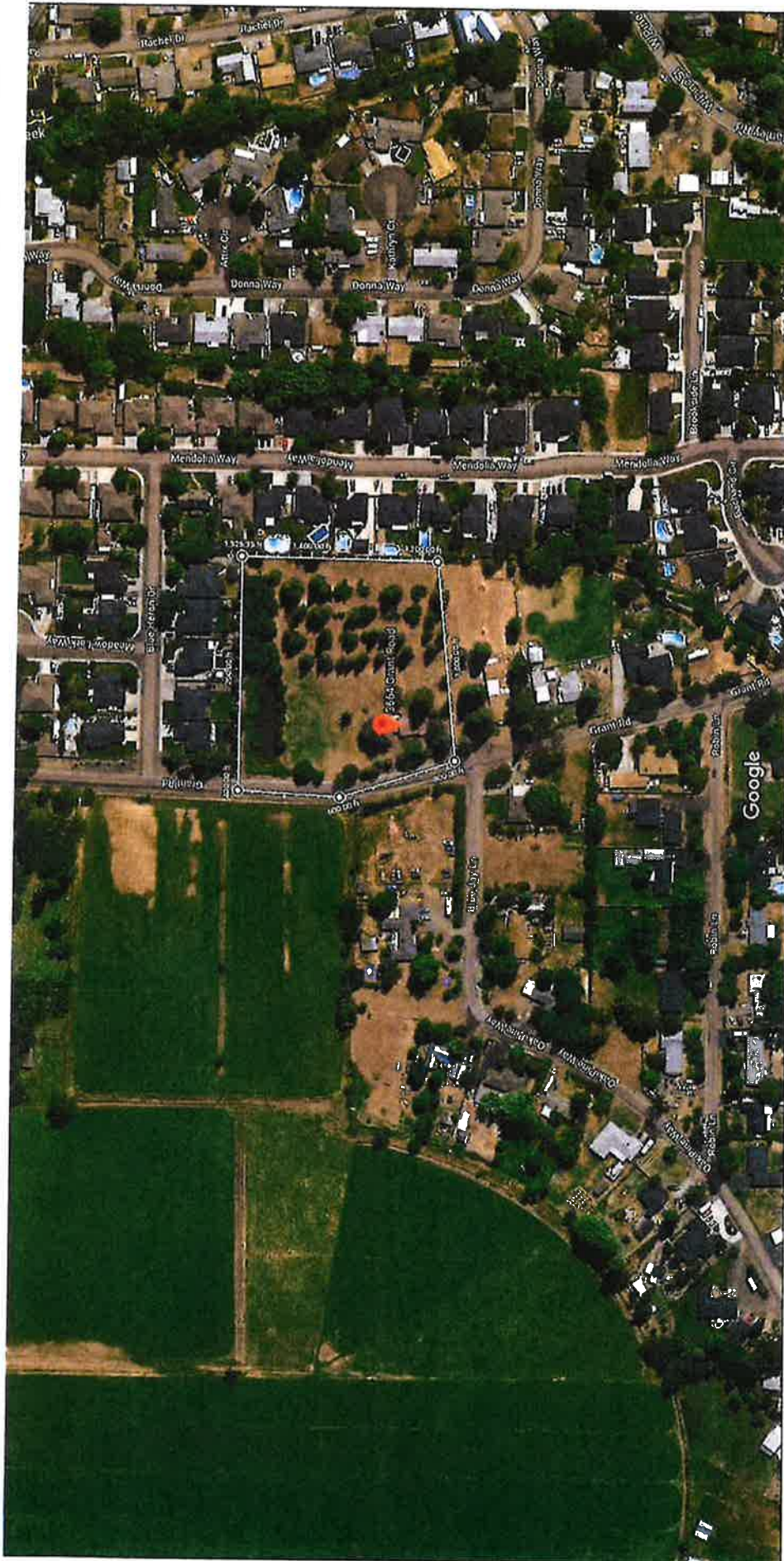
Exhibit B: Annexation Depiction Map

ACTIONS:

Open public hearing and consider the request to annex approximately 3.16 acres located at 37S 2W 10BC Tax Lot 2200, close the public hearing and 1) recommend approval to the City Council; 2) recommend approval with revisions; or 3) recommend denial the application.

RECOMMENDATION:

Recommend approval of Annexation Request (File No. Annex -19001) to the City Council per the Staff Report dated February 4, 2020.



Imagery ©2020 Jackson County GIS, Maxar Technologies, State of Oregon, Map data ©2020 100 ft



ANNEXATION PETITION


The undersigned hereby request and consent to the annexation to the City of Central Point, Oregon, of the real property contiguous thereto described in Exhibit "A" attached hereto and by this reference made a part of the within petition.

By their signature hereto, the undersigned certify that they are either "owners" of land in the territory proposed to be annexed as described in Exhibit "A", or are "electors" registered in the territory proposed to be annexed as described in Exhibit "A".

This petition, containing the request and consent to said annexation, must be filed with the Central Point City Council on or before the date of the public hearing to be held upon the proposed annexation pursuant to ORS 222.120.

"Owner" is defined by ORS 222.120 as meaning the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is multiple ownership in a parcel of land, each consenting owner shall be counted as a fraction of the same extent as the interest of the owner in the land bears in relation to the interest of the other owners, and the same fraction shall be applied to the parcel's land mass for purposes of the consent petition. If a corporation owns land in a territory proposed to be annexed, the corporation shall be considered to be the individual owner of that land.

"Elector" is defined in said statute as an individual qualified to vote under Article II, Section 2 of the Oregon Constitution, which in turn requires that the individual be 18 years of age or older, a resident of the area in question, and registered to vote as required by applicable state law. Furthermore, ORS 222.270(2) requires that electors petitioning for annexation be registered in the territory proposed to be annexed.

Name/Address	Elector Or Property Owner?	Signature	Date
W.L. Moore Const. Inc	Owner		10-9-2019

Annexation Petition

Revised 9/26/06

X:\F&SDB\Info Files\City Central Point\Application&Documents\CCP - Annexation Petition.doc

FARBER CONSULTING

• FARBER & SONS, INC. • POST OFFICE BOX 5286 • CENTRAL POINT, OR 97502 •

January 26, 2020

Planning Department
City of Central Point
140 S Third Street
Central Point Or 97502

Re: Annexation Criteria Public Facilities, 3664 Grant Road, Assessors Map No 372W10BC-2200.

To whom it may concern:

Orderly Provision of Public Facilities

Orderly Provision of Public Facilities: The City-County Urban Growth Boundary and Policy Agreement requires that, in considering an annexation, urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth allowed by the Comprehensive Plan within the annexation area prior to or concurrent with the development. Public Works and Rogue Valley Sewer Services have reviewed the existing public facilities and their proximity to the annexation area and concluded that public facilities can be provided or extended to the site. Any future enhancements of these facilities made necessary by development of the annexation area will be the responsibility of the developer and regulated through the City's land use application process. This will result in an orderly provision of public facilities to the annexation area.

Public services are available to the area proposed for annexation consist of the following per the as built maps available:

Rogue Valley Sewer Services has an 18" main line in Grant Road. This line is adequate and will be tied in to server the proposed annexed area.

The city of Central Point has an easement on the east side of Lot 53 of Country Meadow Estates that provides access to an existing 18" storm drain line that will adequately serve this area.

The City of Central Point has an 8" water line stubbed to the north boundary of the area proposed for annexation. This line will be extended and looped through the future development as needed.

Respectfully,

Herbert A Farber

• HERBERT A. FARBER PRESIDENT
PHONE: 541.664.5599

RESOLUTION NO. _____

**A RESOLUTION TO ANNEX 3.44 ACRES,
LOCATED AT 3664 GRANT ROAD AND
IDENTIFIED ON THE JACKSON COUNTY
ASSESSOR'S MAP AS 37 2W 10BC, TAX LOT 2200.
APPLICANT: WL MOORE CONSTRUCTION, LLC.**

RECITALS:

- A. WL Moore Construction, LLC owns one tax lot at 3664 Grant Road and generally described by Exhibit A, which is not located within the City of Central Point city limits. The Central Point City Council (the Council) is authorized under ORS 222.120 to hold a public hearing for annexation proceedings without an election for annexation.
- B. On February 13, 2020 the Council conducted a duly noticed public hearing on the annexation application, at which time it reviewed the City staff report, heard testimony and comments on the application to annex the 3.44 acre property specifically described in attached Exhibits "A" Written Description and Exhibit "B" Annexation Depiction Map.
- C. The City Manager, or designee, will transmit a copy of this resolution to the Oregon Secretary of State, and this annexation is effective when filed with the Oregon Secretary of State pursuant to ORS. 222.180.
- D. This annexation is a full consent annexation as Bret Moore has consented to the annexation.

The City of Central Point resolves as follows:

Section 1: The property at 3664 Grant Road, described in the above recitals and set forth in attached Exhibits "A" and "B" is proclaimed to be annexed to the City of Central Point.

Passed by the Council and signed by me in authentication of its passage this ____ day of _____, 2020.

Mayor Hank Williams

ATTEST:

City Recorder

Resolution No. _____

PROPERTY DESCRIPTION

W. L. MOORE CONSTRUCTION, INC
ANNEXATION ASSESSOR'S MAP No 372W10BC-2200 AND
ADJACENT RIGHT OF WAY

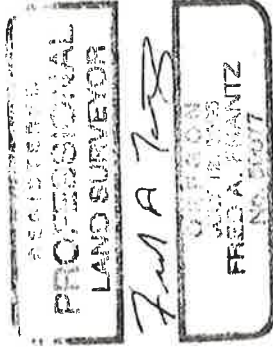
BEGINNING AT THE SOUTHEAST CORNER OF LOT 53, COUNTRY MEADOWS ESTATES SUBDIVISION UNIT 3 RECORDED IN VOLUME 25, PAGE 38 OF THE PLAT RECORDS, JACKSON COUNTY, OREGON; THENCE NORTH $89^{\circ}59'23''$ WEST, ALONG THE SOUTH LINE OF SAID SUBDIVISION AND THE PROJECTION THEREOF, ALSO BEING THE EXISTING CITY BOUNDARY FOR THE CITY OF CENTRAL POINT, FOR A DISTANCE OF 415.38 FEET TO THE CENTER LINE OF GRANT ROAD; THENCE SOUTH $2^{\circ}08'31''$ WEST, ALONG SAID CENTER LINE FOR A DISTANCE OF 178.81 FEET; THENCE SOUTH $14^{\circ}40'06''$ EAST, ALONG SAID CENTER LINE FOR A DISTANCE OF 213.78 FEET TO A POINT, SAID POINT BEING ON THE PROJECTION OF THE NORTH LINE OF PARTITION PLAT No. P-57-2006 RECORDED IN THE RECORDS OF JACKSON COUNTY, OREGON, INDEX No., VOLUME 17, PAGE 57 AND FILED AS SURVEY No 19226 IN THE OFFICE OF THE COUNTY SURVEYOR OF JACKSON COUNTY, OREGON, ALSO BEING ON THE EXISTING BOUNDARY OF THE CITY OF CENTRAL POINT; THENCE NORTH $84^{\circ}17'24''$ EAST, ALONG THE NORTH LINE OF SAID PARTITION AND ITS PROJECTION AND SAID BOUNDARY, FOR A DISTANCE OF 369.72 FEET; THENCE NORTH $0^{\circ}00'27''$ EAST, ALONG THE WEST LINE OF COUNTRY MEADOWS ESTATES SUBDIVISION UNIT 2, PHASE 2 RECORDED IN VOLUME 27, PAGE 8 AND OF SAID PLAT RECORDS AND THE WEST LINE OF COUNTRY MEADOWS ESTATES SUBDIVISION UNIT 2, PHASE 1 RECORDED IN VOLUME 25, PAGE 4 OF SAID PLAT RECORDS, ALSO BEING THE EXISTING CITY OF CENTRAL POINT BOUNDARY, FOR A DISTANCE OF 348.64 FEET TO THE POINT OF BEGINNING.

ANNEX EXHIBIT MAP

3664 GRANT ROAD
CENTRAL POINT, OREGON 97502

FOR

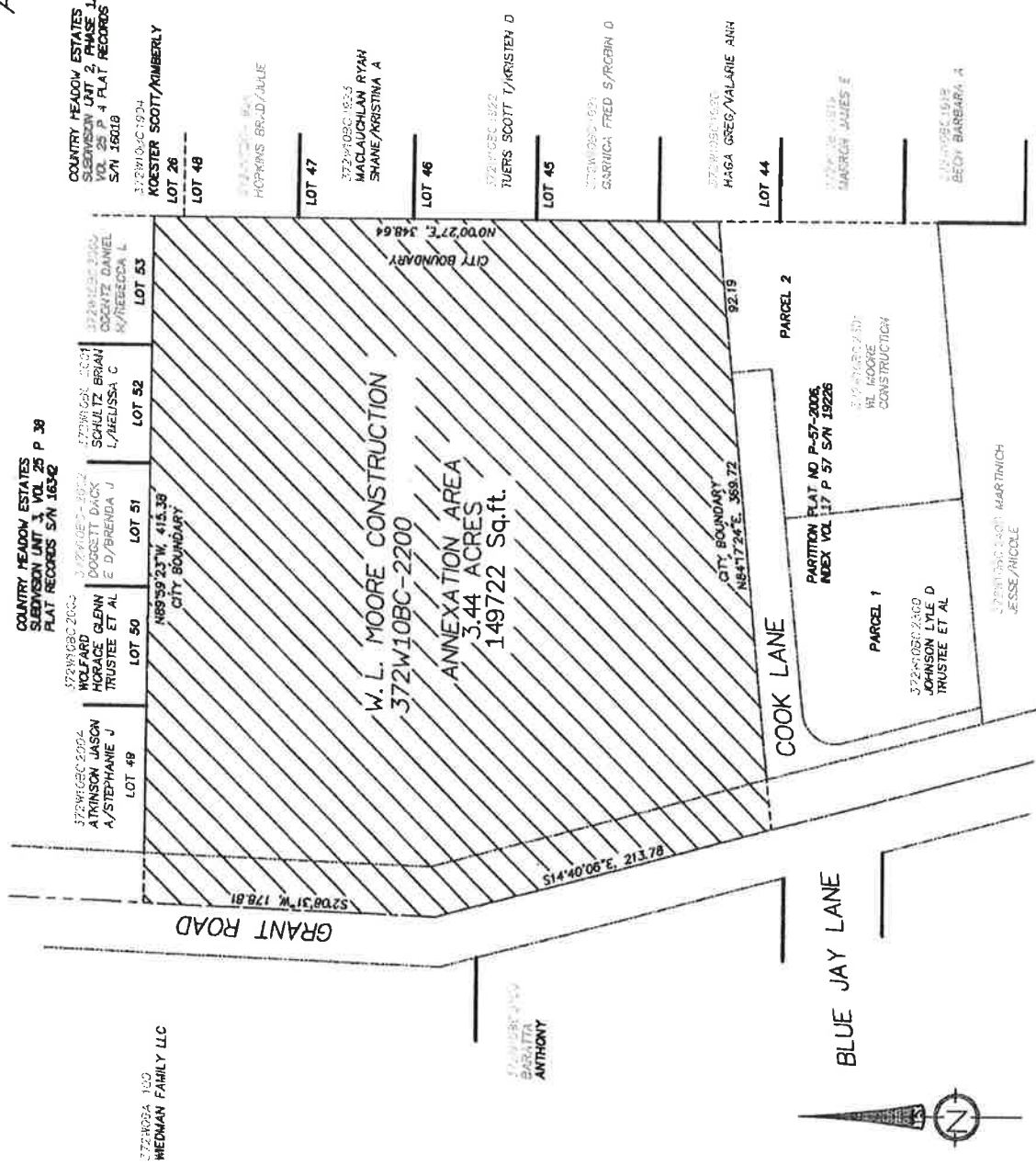
W L MOORE CONSTRUCTION INC
PO BOX 3577
CENTRAL POINT, OREGON 97502



Renewal 22-31-21

EXHIBIT "B"

TERRASURVEY, INC.
PROFESSIONAL LAND SURVEYORS
274 FOURTH STREET
ASHLAND, OREGON 97520
(541) 482-6474
terran@tbsp.net
JOB NO. 1267-19



APPLICANT/OWNER: W.L. MOORE CONSTRUCTION INC
PO BOX 3577
CENTRAL POINT, OR 97502

FLANNER: NEEL FAWCETT
FARBER CONSULTING
PO BOX 508
CENTRAL POINT, OR 97502

LAND SURVEYOR: FRED A. FAWCETT, PLS
TERRASURVEY, INC.
274 FOURTH STREET
ASHLAND, OREGON 97520
541-482-6474

SITE: 3664 GRANT ROAD
CENTRAL POINT, OR 97502
ASSESSOR MAP NO. 372W10BC-2200

ZONING: RP-2.5

DATE: 12-05-2019

SCALE: 1" = 50'



37-24-10BC TAK LOTS 2000-2301