

# CITY COUNCIL MEETING AGENDA

**March 26, 2026**

6:00 PM

Central Point City Hall, Council Chambers

140 S 3rd St, Central Point, OR

[www.centralpointoregon.gov](http://www.centralpointoregon.gov)



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## **10. Meeting Called to Order**

## **20. Pledge of Allegiance**

## **30. Roll Call**

## **40. Presentation**

- A. Jackson County Fire District 3

## **50. Public Comments**

The City Council sets aside 20 minutes for in-person public comments on non-agenda items. Comments are limited to three (3) minutes per individual, five (5) minutes per group or organization. Please complete a public comment form before speaking.

The City Council encourages written comments. Please submit your comments by regular mail to City Council, 140 S Third St, or by email to [meetings@centralpointoregon.gov](mailto:meetings@centralpointoregon.gov). Comments must be received by noon on the date of the meeting to be noted in the record. Please include the date of the Council meeting with your comments.

## **60. Public Agency Comments**

## **70. Consent Agenda**

- A. Approval of March 12, 2026, Meeting Minutes
- B. OLCC Application - Tandoori Flames

## **80. Items Removed from the Consent Agenda**

## **90. Public Hearing**

*Public comments will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The presiding officer may limit testimony.*

*For land use matters and other quasi-judicial appeals: Comments are limited to a total of 30 minutes for applicants and/or their representatives. They may request a*

*5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant they will also be allowed a total of 30 minutes. All other participants are limited to 4 minutes.*

*For matters that are legislative or administrative and are not quasi-judicial: Comments are limited to 4 minutes per individual, group or organization.*

***Please complete a public comment form before speaking.***

- A. Ordinance Amending Environmental Management Element of the Comprehensive Plan  
Justin Gindlesperger, Community Planner III
- B. Ordinance Amending the Central Point Municipal Code to Establish Environmental Overlay Chapter  
Justin Gindlesperger, Community Planner III

#### **100. Ordinances and Resolutions**

- A. Ordinance Amending Chapter 8.04 of the Central Point Municipal Code to Add Section 8.04.045 Unlawful Graffiti on Private Property as a Public Nuisance and Providing for Abatement  
Sydnee Dreyer, City Attorney
- B. Ordinance Amending in part Chapter 13.16.010 Water and Utility Rate Discounts for Extreme Hardship

#### **110. Business**

#### **120. Mayor's Report**

#### **130. City Manager's Report**

#### **140. Council Reports**

#### **150. Department Reports**

#### **160. Adjournment**

*Individuals wishing to attend a meeting via Zoom or needing special accommodations such as sign language, foreign language interpreters, or equipment for deaf and hard of hearing people must request such services at least 72 hours before the City Council meeting. To make your request, please contact the City Recorder at 541-423-1015 (voice) or by e-mail to [meetings@centralpointoregon.gov](mailto:meetings@centralpointoregon.gov).*

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

# CITY COUNCIL MEETING MINUTES

**March 12, 2026**

6:00 PM

Central Point City Hall, Council Chambers

140 S 3rd St, Central Point, OR

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## **1 Meeting Called to Order**

## **2 Pledge of Allegiance**

## **3 Roll Call**

The following members were present: Mayor Taneea Browning, At Large Rob Hernandez, Ward II Kelley Johnson, Ward I Neil Olsen, Ward IV Brian Whitaker, At Large Michael Quilty, Ward III Sarah Roberts

The following staff were also present: City Manager Chris Clayton, City Attorney Sydnee Dreyer, Police Chief Scott Logue, Planning Director Stephanie Powers, Park Planner Dave Jacobs, and City Recorder/Assistant Finance Director Rachel Neuenschwander

## **4 Presentation**

### **A. RVTD Presentation**

Kelly Madding, Operations Manager for the Rogue Valley Transit District (RVTD), and Tyler Jasper, board member, presented information about RVTD's current situation and upcoming levy.

Kelly went over the financial challenges RVTD faced, noting that costs increased dramatically while revenue remained relatively static. The cost per service hour increased 78% since 2017, bus rebuild costs rose 61% from 2019-2025, and new bus costs increased 64% over 10 years. These factors led to a 40% service reduction in August 2025, including the elimination of 9 routes, weekday evening service, and Saturday service. Central Point lost Route 41 but retained Route 40.

The board approved pursuing a 5-year operating levy at 13 cents per thousand assessed value (approximately \$52 annually for a \$400,000 assessed home). Previous levy attempts in 2014 failed 40-62%, but efforts in 2016 and 2021 passed with organized campaigns.

City Manager Chris Clayton noted that competition for transportation funding is fierce in the Rogue Valley and that there would be no tax compression issues with the levy.

Tyler Jasper explained that rider surveys identified restoring Saturday service as the top priority, followed by evening hours. The levy wouldn't provide enough resources to restore all cut services, including Route 41, but cities could enter into dialogue about funding specific routes at full cost.

Councilors asked various questions about paratransit fare structures, federal funding delays, and the potential for restoring Route 41. Tyler clarified that the levy would primarily maintain current service levels and could restore Saturday service, but restoring Route 41 would require additional city funding.

The presentation concluded with RVTD requesting the council's endorsement of its levy for the voters' pamphlet.

Mike Quilty moved to add an item to the agenda for the council to consider RVTD's Tax Levy and declare it an emergency. Neil Olsen seconded, all said aye, and the motion was approved.

Brian Whitaker moved to authorize the city to endorse RVTD's Tax Levy. Kelley Johnson seconded, all said aye, and the motion was approved.

## **5 Public Comments**

## **6 Public Agency Comments**

## **7 Consent Agenda**

**A. Approval of February 26, 2026, Meeting Minutes**

**Motion:** Approve

**Moved By:** Brian Whitaker

**Seconded by:** Rob Hernandez

**Roll Call:** Members Tanea Browning, Rob Hernandez, Kelley Johnson, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes. None voted no.

**8 Items Removed from the Consent Agenda**

**9 Ordinances and Resolutions**

**A. An Ordinance Amending in Part the Central Point Municipal Code Section 2.18.010 - Parks and Recreation Commission - Established - Membership - Terms**

Dave Jacob, Park Planner, presented the second reading of an ordinance amending the Parks and Recreation Commission membership terms. There were no changes from the first reading.

**Motion:** Approve

**Moved By:** Rob Hernandez

**Seconded by:** Sarah Roberts

**Roll Call:** Members Tanea Browning, Rob Hernandez, Kelley Johnson, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes. None voted no.

**Rob Hernandez moved to approve Ordinance No. 2139, an Ordinance Amending in Part Central Point Municipal Code Section 2.18.010 - Parks and Recreation Commission - Established - Membership - Terms.**

**B. Ordinance Amending Chapter 8.04 of the Central Point Municipal Code to Add Section 8.04.045 Unlawful Graffiti on Private Property as a Public Nuisance and Providing for Abatement**

City Attorney Sydnee Dreyer presented the first reading of an ordinance declaring graffiti on private property a public nuisance. The ordinance requires property owners to remove graffiti within 15 days of becoming aware of it. If they don't comply, the city can issue a notice requiring removal within 10 days. If the property owner still doesn't act, the city can remove the graffiti and charge the property owner for costs

plus administrative fees.

The ordinance is part of a two-pronged approach that includes a policy component under which the city will purchase basic supplies to provide to property owners to assist with graffiti removal or provide up to a \$100 reimbursement to property owners for graffiti-removal supplies. The goal is to assist property owners rather than use the nuisance process except in worst-case scenarios.

Councilors discussed various aspects, including applications for high-traffic graffiti areas and utility transformer boxes, and whether administrative costs should be waived for victims of vandalism. They also discussed increasing the \$100 reimbursement amount and involving community organizations in cleanup efforts. It was also questioned whether administrative costs should be imposed on property owners who are victims of crime. Sydnee explained that property owners have multiple opportunities for assistance before reaching the abatement stage, and if they choose not to cooperate, they contribute to the problem requiring taxpayer-funded staff time.

**Motion:** Approve

**Moved By:** Sarah Roberts

**Seconded by:** Michael Quilty

**Roll Call:** Members Tanea Browning, Rob Hernandez, Kelley Johnson, Neil Olsen, Brian Whitaker, Michael Quilty, Sarah Roberts voted yes. None voted no.

**Sarah Roberts moved to forward the Ordinance amending Chapter 8.04 of the Central Point Municipal Code to add Section 8.04.045 unlawful graffiti on private property as a public nuisance and providing for abatement to a second reading.**

## 10 Business

### A. Planning Commission Report

Planning Director Stephanie Powers presented to the council the Planning Commission report from the March 3, 2026, meeting. Topics included the Environment Management Element, Environmental Overlay Text Amendments, Administrative Review of a car sales and leasing facility on Ice Cream Drive.

## **11 Mayor's Report**

Mayor Browning attended the League of Oregon Cities presidential meeting to discuss legislative policy and held 18 listening sessions statewide to gather input on policy. She also attended the SOREDI board meeting focused on economic development, the Golden Rule luncheon supporting justice-impacted individuals receiving reentry support, and the Dolly Parton Library luncheon. The library program provides free monthly books to children ages 0-5, builds home libraries, and includes discussion questions to enhance engagement.

## **12 City Manager's Report**

City Manager Chris Clayton highlighted the importance of reading, noting statistics that children who can't read at grade level by fourth grade have only a 20% chance of graduating from high school, and those who can't read at grade level by ninth grade have less than 1% chance of graduating from college.

He reported that SOREDI will meet next week to discuss the Tolo area. Grocery Outlet has new owners and will open on June 25th; the Old Military property sale has closed, with funds received, and the council's financial statements will be provided tomorrow. City Hall will undergo floor plan changes, with police expanding evidence storage to the second floor to improve efficiency and public accessibility.

Regarding the OSHA situation from work on Peninger Road, the city received conflicting information about appeal procedures due to mail receipt issues. The city is working with OSHA to resolve the appeal process while maintaining its position that its work practices were safe.

He mentioned that if the council desires additional transit service, such as Route 41, they could dedicate a portion of future diesel tax ballot measures to transit.

## **13 Council Reports**

Mike Quilty attended an RVACT meeting where the capital investment program subcommittee selected five regional priorities, including complete-street improvements on Highway 99 from Beale to Table Rock and the lengthening/widening of the northbound off-ramp at Exit 33. He also completed executive session training.

Sarah Roberts attended OGEC training and a School District 6 board meeting where Handy Middle School presented their "5 A's" program (attitude, activities, athletics, attendance, academics). She was impressed by the student presentations and noted the school's use of ChatGPT to review student writing and identify trends in improvement.

Rob Hernandez reported practicing retirement in Utah and Arizona with no official activities to report.

Brian Whitaker reported on the following.

1. He sent a letter to Matthew S., which he indicated would be given to the City Recorder as a public record, and it may also be included in the Parks and Recreation Committee packet.
2. Dave asked whether he had questions regarding the summary, and he forwarded his questions to Matthew S. for review and response.
3. He plans to attend additional committee meetings this month, including DEI, Commerce, and other committees.
4. On his own initiative, he is organizing another silent auction to help promote businesses in Central Point while raising funds for charity.
5. A constituent asked about the American flags on East Pine Street, and he confirmed the explanation with the City Manager and forwarded the response to the constituent. The flags look great when displayed, and two visiting Army veterans commented positively on them.
6. He met with a constituent over coffee to discuss general topics related to Central Point and provided his contact information for future communication.
7. He attended the Gold Key luncheon, which recognizes individuals reentering society, and found the event uplifting and inspiring.
8. He was also invited to attend a Shakespeare Festival social event.
9. Next week, he plans to submit proposals related to finance, Avista matters, and other topics relevant to Central Point.
10. He enjoys working with members of the City Council and administration. His primary focus continues to be financial matters, public records, community improvement and development, and issues important to constituents. The night skies over Central Point are also something special to appreciate.
11. Finally, he intends to advocate for restoring a regional mail center to improve mail service in Southern Oregon.

Neil Olson celebrated local wrestling achievements: Crater boys wrestling placed second in state with four champions, highlighted by Aubrey

Robinson's undefeated season, and Abby Samitor's fourth-place finish. He shared before-and-after photos of successful graffiti removal involving community volunteers, demonstrating the positive impact of neighborhood cooperation.

Kelley Johnson reported no activities since the last meeting.

**14 Department Reports**

Police and Planning departments had no reports to present.

**15 Executive Session**

- A. Pursuant to ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.**

The Executive Session was canceled.

**16 Adjournment**

**Neil Olsen moved to adjourn, all said aye, and the meeting was adjourned at 7:30 PM.**

The foregoing minutes of the March 12, 2026, Council meeting were approved by the City Council at its meeting of \_\_\_\_\_, 2026.

Dated:

\_\_\_\_\_  
Mayor Tanea W. Browning

ATTEST:

\_\_\_\_\_  
City Recorder



**DEPARTMENT:** Administration

**MEETING DATE:** March 26, 2026

**STAFF CONTACT:**

**SUBJECT:** OLCC Application - Tandoori Flames

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**SUMMARY AND BACKGROUND:**

The City has received a complete liquor license application for Tandoori Flames, located at 210 S. Peninger Rd. Pursuant to CPMC Chapter 3.20 the City Recorder referred the application to all relevant departments for compliance with the City code, including an application for a City Business License.

Per Chapter 3.20, Based on the completed departmental reviews, the City Recorder recommends that the City Council approve the liquor license application. Oregon Revised Statutes (ORS 471.166), requires all new applications and changes of ownership be approved for favorable recommendation by the City Council.

**ATTACHMENTS/EXHIBITS:**

1. OLCC Application Tandoori Flames

**Local Government Recommendation – Liquor License****Annual Liquor License Types**

|                                            |                                |
|--------------------------------------------|--------------------------------|
| Off-Premises Sales                         | Brewery-Public House           |
| Limited On-Premises Sales                  | Brewery                        |
| Full On-Premises, Caterer                  | Distillery                     |
| Full On-Premises, Commercial               | Grower Sales Privilege         |
| Full On-Premises, For Profit Private Club  | Winery                         |
| Full On-Premises, Non Profit Private Club  | Wholesale Malt Beverage & Wine |
| Full On-Premises, Other Public Location    | Warehouse                      |
| Full On-Premises, Public Passenger Carrier |                                |

**Section 1 – Submission – To be completed by Applicant:****License Information**

Legal Entity/Individual Applicant Name(s): TANDOORI FLAMES LLC

Proposed Trade Name: TANDOORI FLAMES

Premises Address: 210 S PENINGER RD

Unit:

City: CENTRAL POINT

County: JACKSON

Zip: 97502

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of Location

License Type: F-COM

☐ Additional Location for an Existing License**Application Contact Information**

Contact Name: GURMEET MEHROK

Phone: 7073335193

Mailing Address: 1030 LATHROP DR

City: CENTRAL POINT

State: OR

Zip: 97502

Email Address: GARYMEHROK@GMAIL.COM

**Business Details**

Please check all that apply to your proposed business operations at this location:

- ☐ Manufacturing/Production
- ☐ Retail Off-Premises Sales
- ☐ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

- ☒ Indoor Consumption ☐ Outdoor Consumption
- ☐ Proposing to Allow Minors

**Section 1 continued on next page**



## Local Government Recommendation – Liquor License

### Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): TANDOORI FLAMES LLC

Proposed Trade Name: TANDOORI FLAMES

**IMPORTANT:** You MUST submit this form to the local government PRIOR to submitting to OLCC.  
Section 2 must be completed **by the local government** for this form to be accepted with your CAMP application.

### Section 2 – Acceptance - To be completed by Local Government:

#### Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name: City of Central Point Optional Date Received Stamp

Date Application Received: 3/12/20

Received by: Nichole Petty

### Section 3 – Recommendation - To be completed by Local Government:

- ☐ Recommend this license be granted
- ☐ Recommend this license be denied (Please include documentation that meets OAR 845-005-0308)
- ☐ No Recommendation/Neutral

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.



**DEPARTMENT:** Planning

**MEETING DATE:** March 26, 2026

**STAFF CONTACT:** Justin Gindlesperger, Community Planner III

**SUBJECT:** Ordinance Amending Environmental Management Element of the Comprehensive Plan

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**SUMMARY AND BACKGROUND:**

On February 12, 2026, the City of Central Point City Council adopted Resolution No. 1861, initiating an application to amend the Environmental Management Element and the Environmental Overlay in the Land Use Element within the City's Comprehensive Plan. The Planning Commission reviewed the proposed amendments and forwarded a favorable recommendation of approval to the City Council without changes.

The Environmental Management Element of the Comprehensive Plan was last updated in 1983 and does not adequately address the requirements of the Oregon Statewide Planning Goals, including:

- Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces;
- Goal 6, Air, Water and Land Resources Quality;
- Goal 7, Areas Subject to Natural Disasters.

In order to support future annexations, the Environmental Management Element must fully address applicable statewide planning goals, particularly the resource inventory requirements in Goal 5.

The proposed amendments include the following updates:

- Adoption of the City's first Local Wetland and Riparian Corridor Inventory;
- Incorporation of the resource inventories into the existing Environmental Overlay within the Land Use Element;
- Updates to goals and policies to ensure compliance with Statewide Planning Goals 5, 6, and 7;
- Integration of findings related to current floodplain studies and mapping, water quality assessments and hazard mitigation planning.

Adoption of these updates will establish a current and defensible natural resource framework, ensure consistency with Goal 5 inventory requirements, and enable the City to proceed with future annexations.

Staff will present the proposed amendments and a recommendation for approval at the March 26, 2026 meeting of the City Council of Central Point.

## **PREVIOUSLY DISCUSSED/DECIDED:**

### **FINANCIAL ANALYSIS:**

The proposed Comprehensive Plan amendments do not generate additional cost to the City beyond in-kind staff expense.

### **LEGAL ANALYSIS:**

Amendments to the Comprehensive Plan that have widespread impact throughout the city are considered Major Amendments pursuant to CPMC 17.10.300(A) and are subject to legislative (Type IV) procedures in CPMC 17.05.500, which require two (2) public hearings and a decision by the City Council. In rendering its decision City Council may approve or deny the amendments based on written findings and conclusions that find the proposed changes meet the following criteria:

- Are consistent with applicable statewide planning goals;
- Are consistent with the Central Point Comprehensive Plan; and
- Comply with OAR 660-012-0060 of the State Transportation Planning Rule.

As demonstrated in the Findings of Fact and Conclusions of Law, the proposed amendments to the Comprehensive Plan to update the Environmental Management Element and incorporate resource inventories on the Environmental Overlay in the Land Use Element are consistent with applicable Statewide Planning Goals and existing policies in the Comprehensive Plan.

### **COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:**

Community Investment, Goal 4 – Manage growth to provide places that are timeless and loved by the community.

Natural and environmental resources can provide valuable scenic and recreational opportunities for citizens, as well as beneficial ecological functions. As Central Point grows, forethought into resource protection and management can help the City assure that streams and wetlands contribute to creating a sense of place that is enjoyed by citizens and visitors now and in the future.

Responsible Governance, Goal 6 – Prepare as a resilient city with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from threats and hazards that pose the greatest risk.

Wetlands and floodplains have documented benefits to flood risk mitigation as well as water quality, fish, and wildlife. The Environmental Element will establish the City's policy framework for holistic management of resources that is vital to balancing environmental preservation with risk management while complying with state planning requirements.

### **ATTACHMENTS/EXHIBITS:**

1. Findings of Fact and Conclusions of Law
2. Planning Commission Resolution 940
3. Ordinance Amending the Environmental Management Element(v.2)

**STAFF RECOMMENDATION:**

Staff recommends the City Council conduct a public hearing to consider the first reading of an Ordinance approving amendments to the Environmental Management Element and Environmental Overlay in the Land Use Element and forward the ordinance to a second reading with or without revisions.

**RECOMMENDED MOTION:**

I move to forward Ordinance No. \_\_\_\_ an ordinance amending the Central Point Comprehensive Plan Environmental Management Element text in its entirety and the Environmental Overlay map in the Land Use Element.

# ENVIRONMENTAL MANAGEMENT ELEMENT AND ENVIRONMENTAL OVERLAY

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

File No.: CPA-23004 and ZC-26002

|                              |   |                   |
|------------------------------|---|-------------------|
| <b>Applicant:</b>            | ) | Findings of Fact  |
| City of Central Point        | ) | and               |
| 140 S 3 <sup>rd</sup> Street | ) | Conclusion of Law |
| Central Point OR 97502       | ) |                   |

### Part 1 - Introduction

The City is amending the Comprehensive Plan Environmental Management Element and Zoning Ordinance to accomplish the following:

- Update the Comprehensive Plan Environmental Management Element to address Statewide Planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces), Goal 6 (Air, Water and Land Resources Quality), and Goal 7 (Areas Subject to Natural Disasters and Hazards);
- Incorporate the City's first Local Wetland and Riparian Corridor Inventory into the existing Environmental Overlay in the Land Use Element of the Comprehensive Plan;
- Integrate findings from the updated to the historic resource inventory to reflect current conditions and state requirements for historic resources;
- Integrate findings from current floodplain studies and mapping, water quality assessments and hazard mitigation planning;
- Implement new resource protection measures and development standards in the Central Point Municipal Code (Title 17);

The purpose of these findings is to demonstrate that the proposed Comprehensive Plan and Zoning Code amendments are consistent with requirements set forth in OAR 660-012-0060, as well as the Statewide Planning Goals, Central Point Comprehensive Plan and Zoning Ordinance.

#### 1.1 Applications

There are two (2) applications required to update the Comprehensive Plan Environmental Element, update the Environmental Overlay map and implement new development standards in the Central Point Municipal Code:

- 1.1.1 Comprehensive Plan Amendment and Environmental Overlay Map Amendment (File No.: CPA-23004) - The proposed amendment to the Environmental Management Element includes updating goals and policies to address Statewide Planning Goals 5, 6, & 7; incorporating new and updated resource inventories into the comprehensive plan; and integrating findings from current floodplain studies and mapping, water quality assessments and hazard mitigation planning.

### 1.1.2 Zoning Text Amendment (File No.: ZC-26002)

The proposed zoning text amendment implements new resource protection measures and development standards for development in environmentally sensitive areas.

### 1.2 Procedural Requirements

The proposed amendments include policy, regulatory and map changes. Given the broad scope of the changes that apply new policies and regulations, the applications qualify as major legislative amendments pursuant to CPMC 17.96.300 and CPMC 17.10.300(A) and are being processed using Type IV (Legislative) procedures in a consolidated proceeding.

### 1.3 Approval Criteria

Comprehensive Plan and Zoning Ordinance amendments, text and map changes are subject to overlapping approval criteria as follows:

- OAR 660-012-0060
- Statewide Planning Goals
- Central Point Comprehensive Plan
- CPMC 17.96, Comprehensive Plan and Urban Growth Boundary Amendments
- CPMC 17.10, Zoning Code Map and Text Amendments

## Part 2 - Background

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The Environmental Management Element provides the policy framework for protecting and managing the City's natural and historic resources while supporting orderly growth. It establishes goals and policies focused on resource protection, environmental quality, hazard mitigation, resilience, and appropriate recreational access.

The Element was last updated in 1983 and does not fully address current state requirements or local conditions. In particular, it does not adequately address Oregon's Statewide Planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces), Goal 6 (Air, Water and Land Resources Quality), and Goal 7 (Areas Subject to Natural Disasters and Hazards). An update is necessary to ensure continued compliance with these goals, incorporate current resource data, and support the orderly annexation and development of land within the City.

The proposed amendments will:

- Revise environmental goals and policies to align with Statewide Planning Goals 5, 6, and 7;
- Adopt and incorporate the City's first Local Wetland and Riparian Corridor Inventory into the existing Environmental Overlay in the Comprehensive Plan;
- Update the historic resources inventory to reflect current conditions and applicable state requirements;
- Incorporate findings from recent floodplain studies and mapping, water quality assessments, and hazard mitigation planning efforts; and
- Clarify and implement resource protection measures and development standards for environmentally sensitive areas.

The updated Environmental Management Element provides clear policy direction for conserving natural resources, protecting environmental quality, and reducing hazard vulnerability. In doing so, it supports the City's broader objective of maintaining livability while accommodating planned growth.

## PART 3 - ZONING CODE COMPLIANCE

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### **17.10.200 Initiation of amendments.**

A proposed amendment to the code or zoning map may be initiated by 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:*** *On February 12, 2026, the City Council approved Resolution No 1861 declaring the Council's intent to initiate comprehensive plan and map amendments and text amendments to the zoning code.*

***Conclusion 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 amendments are revisions to the comprehensive plan and map and to the zoning ordinance that establish policies and regulations for future land use decisions. The requested change is a Major Amendment and have been processed in accordance with Type IV procedures in CPMC 17.05.500.*

***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 amendments have been reviewed against the Statewide Planning Goals and found to comply as follows:

Goal 1- Citizen Involvement. This goal requires that all citizens be given the opportunity to be involved in all phases of the planning process. As evidenced by the land use notifications, including notice to DLCD on January 26, 2026, notice published in a local newspaper and advertisement on the City's website ([www.centralpointoregon.gov/projects](http://www.centralpointoregon.gov/projects)), the City has duly noticed the application as necessary to allow the opportunity for citizen participation in the public hearings scheduled with the Planning Commission (03-03-2026) and City Council (03-26-2026) for the proposed map changes consistent with Goal 1.

Goal 2 – Land Use Planning. Goal 2 addresses the land use planning procedures in Oregon, including the need to adopt comprehensive plans and implementing ordinances based on factual information. The proposed change is based on factual information from the existing policy in the comprehensive plan, information compiled in the resource inventories, and the municipal code.

Goal 3 – Agricultural Lands. Goal 3 addresses agricultural land within rural areas. The proposed amendments do not affect agricultural lands or agricultural buffers that would be required adjacent to agricultural lands outside the urban growth boundary. On this basis, Goal 3 does not apply to the proposed plan, map and text amendments.

Goal 4 – Forest Lands. Goal 4 addresses forest lands within rural areas. The proposed map amendment does not affect forest lands or lands adjacent to forest lands; therefore, Goal 4 does not apply.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources. Goal 5 establishes a process for each natural and cultural resource to be inventoried and evaluated. The proposed amendments specifically address Goal 5 by incorporating new and updated inventoried resources, including wetlands, riparian corridors and historic resources, while integrating findings from current floodplain studies and mapping. The proposed text amendments establish land use standards for properties with environmental resources.

Goal 6 – Air, Water and Land Resources Quality. Goal 6 requires local comprehensive plans and implementing ordinances to comply with state and federal regulations on air, water and land quality resource requirements. The proposed amendments integrate the findings from regional water quality assessments and air quality monitoring for pollutants of concern in the Medford-Ashland Air Quality Maintenance Area that includes the Central Point as part of the Rogue Valley Municipal Planning Organization (RVMPO).

Goal 7 – Areas Subject to Natural Hazards. Goal 7 requires appropriate safeguards when planning for development in floodplains or other areas subject to natural hazards. The proposed amendments integrate the findings from the Natural Hazard Mitigation Plan, recently updated in a multi-jurisdictional process that included communities throughout Jackson County. Proposed policies, actions and standards are intended to minimize losses and protect areas subject to the dangers from natural hazards.

Goal 8 – Recreational Needs. This goal requires communities to inventory existing parks and recreational facilities, and to project the needed facilities to serve all

populations within the community. The proposed amendments identify natural and cultural resources, implement policies to protect the quality of water, air and land resources, and identify strategies to maintain a resilient community that is subject to natural hazards. While resource areas may fulfill a need in providing areas for recreation, the intent of the proposed amendments is to identify and conserve resources and therefore are not expected to directly address recreational needs. On this basis, Goal 8 does not apply to the proposed amendments.

Goal 9 – Economy of the State. Goal 9 addresses diversification and improvement of the economy and specifically addresses commercial and industrial land. The proposed amendments are intended to identify natural and cultural resources, implement policies to protect the quality of water, air and land resources, and identify strategies to maintain a resilient community that is subject to natural hazards. The proposed plan amendments promote the efficient use of lands and the proposed text amendments establish land use standards for properties with environmental resources. The amendments do not directly address policies for commercial or industrial lands; therefore, Goal 9 does not apply.

Goal 10 – Housing. Goal 10 requires local communities to plan for and accommodate housing needs in the City. The proposed plan amendments promote the identification and efficient use of lands most suitable for development. In addition, the proposed text amendments establish land use standards for properties with environmental resources. However, the amendments do not directly address housing production within the City. On this bases, Goal 10 does not apply.

Goal 11 – Public Facilities and Services. Goal 11 calls for efficient planning of public services such as sewer, water, law enforcement and fire protection to assure that public services are planned in accordance with a community's needs and capacities rather than to be forced to respond to development as it occurs. Public facilities and services are planned in accordance with the Comprehensive Plan Public Facilities Element and updated master plans for water, stormwater, etc. On this basis, Goal 11 does not apply.

Goal 12 – Transportation. Goal 12 aims to provide a safe, convenient and economic transportation system. Local planning of the transportation system for Central Point is addressed in the Transportation System Plan that satisfies the requirement of Goal 12. The proposed amendments promote the efficient use of lands within the urbanized area, but do not directly address the transportation system.

Goal 13 – Energy. Goal 13 has to do with conserving all forms of energy. The proposed amendments identify natural and cultural resources, implement policies to protect the quality of water, air and land resources, and identify strategies to maintain a resilient community that is subject to natural hazards. As such, the proposed plan, map and text amendments address energy utilization in Central Point.

Goal 14 – Urbanization. Urbanization is the process by which the City grows and Goal 14 has to do with managing the City's growth in conjunction with projected land needs based on population and land use. The proposed plan amendments promote the efficient use of lands by recognizing the environmental pressures from increased growth/urbanization and provides the tools to mitigate these impacts.

Goals 15- Applies to the Willamette Valley and does not apply to the City of Central Point.

Goals 16-19 - Applies to coastal areas and does not affect the City of Central Point.

**Conclusion CPMC 17.10.400(A):** Based on the nature of the proposed amendment and the findings above, the proposed changes to Comprehensive Plan Environmental Management Element, the Environmental Overlay map and the Central Point Municipal Code (Title 17) are consistent with all applicable Statewide Planning Goals.

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

**Finding CPMC 17.10.400 (B):** A review of the Central Point Comprehensive Plan identified the following relevant policies:

**Urbanization Element:**

Policy 5: Promote efficient and economical patterns of mixed land uses and development densities that locate a variety of different life activities, such as employment, housing, shopping and recreation in convenient proximity; and that are, or can be made, accessible by multiple modes of transportation—including walking, bicycling, and transit in addition to motor vehicles—within and between neighborhoods and districts.

Finding Urbanization Policy 5: The Environmental Management Element recognizes the environmental pressures from increased growth/urbanization and provides the tools to mitigate these impacts. It encourages early identification of resource constraints, promotes the use of low-impact, green infrastructure and guides development away from environmentally-sensitive or disaster-prone areas, supporting a safe, healthy, livable urban area.

Conclusion Urbanization Policy 5: Consistent

**Parks Element:**

Goal 3: Acquire and develop a high-quality, diversified system of parks, recreation amenities and open spaces that provide equitable access to all residents.

Policy 3.10: Manage vegetation in natural areas to support or maintain native plant species, habitat function and other ecological values; remove and control non-native or invasive plants as appropriate.

Finding Policy 3.10: The Environmental Management Element balances the need for future development with a safe, resilient and healthy environment including well-designed urban landscapes with accessible parks. It focuses on the City's goals to improve overall environmental quality that includes protecting natural resources, reducing pollution and enhancing habitat and natural areas.

Conclusion Policy 3.10: Consistent.

**Land Use Element:**

*Residential Policy 1: To ensure a high degree of livability and environmental quality in all residential areas of Central Point.*

*Finding Residential Policy 1: The Environmental Management Element identifies areas to be protected, degraded areas in need of restoration, and sources of pollution that can impact surrounding environmental resources. It ensures that future land use decisions consider natural systems and environmental limits, supporting more sustainable development patterns. Environmental quality is essential to creating a healthy, vibrant city where people want to live.*

*Conclusion Residential Policy 1: Consistent*

**Conclusion CPMC 17.10.400(B):**Based on the evaluation of applicable Comprehensive Plan policies, the proposed comprehensive plan and map amendments and proposed text amendments are consistent with the Central Point Comprehensive Plan.

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 development of the subject property was considered during the approval of the Twin Creeks Master Plan, which includes analysis of transportation needs, traffic circulation and transit services. A Trip Generation Analysis, prepared by Southern Oregon Transportation Engineering dated April 17, 2023, concludes the proposed map amendment will not generate additional impacts on transportation facilities.

**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)).

**OAR 660-012-0060 – Transportation Planning Rule**

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. Oregon Administrative Rule (OAR) 660-012-0060 subsection (1) states the following:

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. 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 (exclusive of corrections of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the areas of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.
  - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
  - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or,
  - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

***Finding OAR 660-012-0060(1):*** *The proposed comprehensive plan and map amendments update the Environmental Management Element and add resource areas, including local wetlands and riparian corridors determined to be locally significant, to the Environmental Overlay of the Land Use Element. The proposed text amendments establish regulations for resource lands in the Central Point Municipal Code, Title 17(Zoning) in order to support informed land use decisions, provide clarity for property owners, and ensure consistent application of standards citywide for properties. The proposed amendments are for the protection of resource lands and promote the efficiency of land uses to manage the conflicts between urban growth and environmental protection. The amendments do not affect existing or planned transportation facilities.*

***Conclusion OAR 660-012-0060(1):*** *Consistent.*

- (2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e),

section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

- (a) Adopting measures that demonstrate allowed land uses are consistent with the planned, function, capacity, and performance standards of the facility.
- (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.
- (c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- (d) Providing other measures as a condition of development or through a development agreement or similar funding method, including but not limited to transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.
- (e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations if:
  - (A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all standards;
  - (B) The providers of facilities being improved at other locations provide written statements of approval; and,
  - (C) The local jurisdictions where facilities are being improved provide written statements of approval.

***Finding OAR 660-012-0060(2): As demonstrated in the findings and conclusions for OAR 660-012-0060(1), the proposed zone map change does not significantly affect transportation facilities.***

***Conclusion OAR 660-012-0060(2): Not applicable.***

- (3) Notwithstanding sections(1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity, and performance standards of the facility where:
- (a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the TSP.
  - (b) Development resulting from the amendment will, at a minimum mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;
  - (c) The amendment does not involve property located in an interchange area as defined in paragraph (d)(C); and

For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

***Finding OAR 660-012-0060(2): As demonstrated in the findings and conclusions for OAR 660-012-0060(1), the proposed zone map change does not significantly affect transportation facilities.***

***Conclusion OAR 660-012-0060(2): Not applicable.***

- (4) Determinations under sections (1) through (3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.
- (a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in

subsections (b) and (c) below.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements, and services:

- (A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.
- (B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.
- (C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.
- (D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.
- (E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b) (A)-(C) are considered planned facilities, improvements and services, except where:

- (A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact

on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or,

- (B) There is an adopted interchange area management plan, then local government may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

(d) As used in this section and section (3):

- (A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

- (B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and,

- (C) Interstate interchange area means:

- (i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or,
  - (ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.

- (e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E), or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

***Finding OAR 660-012-0060(4): As demonstrated in the findings and conclusions for OAR 660-012-0060(1), the proposed zone map change does not significantly affect transportation facilities.***

***Conclusion OAR 660-012-0060(4): Not applicable.***

- (5) The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional, or industrial development on rural lands under this division or OAR 660-004-0022 and 660-004-0028.

***Finding OAR 660-012-0060(5): The applications are for the protection of resource lands and promote the efficiency of land uses to manage the conflicts between urban growth and environmental protection. No exceptions are requested as part of the application.***

***Conclusion OAR 660-012-0060(5): Not applicable.***

- (6) If a local government is determining whether proposed land uses would affect or be consistent with planned transportation facilities as provided in sections (1) and (2) using a performance standard based on projected levels of motor vehicle traffic, then the local government shall give full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods as provided in subsections (a)–(d);
- (a) Absent adopted local standards or detailed information about the vehicle trip reduction benefits of mixed-use, pedestrian-friendly development, local governments shall assume that uses located within a mixed-use, pedestrian-friendly center, or neighborhood, will generate 10 percent fewer daily and peak hour trips than are specified in available published estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual that do not specifically account for the effects of mixed-use, pedestrian-friendly development. The 10 percent reduction allowed for by this subsection shall be available only if uses that rely solely on auto trips, such as gas stations, car washes, storage facilities, and motels are prohibited;
  - (b) Local governments shall use detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development where such information is available and presented to the local government. Local governments may, based on such information, allow reductions greater than the 10 percent reduction required in subsection (a);
  - (c) Where a local government assumes or estimates lower vehicle trip generation as provided in subsection (a) or (b), it shall ensure through conditions of approval, site plans, or approval standards that subsequent development approvals support the development of a mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and pedestrian connectivity and access to transit as provided for in OAR 660-012-0045(3) and (4). The provision of on-site bike and pedestrian connectivity and access to transit may be accomplished through application of acknowledged ordinance provisions which comply with OAR 660-012-0045(3) and (4) or through conditions of approval or

findings adopted with the plan amendment that ensure compliance with these rule requirements at the time of development approval; and

- (d) The purpose of this section is to provide an incentive for the designation and implementation of pedestrian-friendly, mixed-use centers and neighborhoods by lowering the regulatory barriers to plan amendments that accomplish this type of development. The actual trip reduction benefits of mixed-use, pedestrian-friendly development will vary from case to case and may be somewhat higher or lower than presumed pursuant to subsection (a). The commission concludes that this assumption is warranted given general information about the expected effects of mixed-use, pedestrian-friendly development and its intent to encourage changes to plans and development patterns. Nothing in this section is intended to affect the application of provisions in local plans or ordinances that provide for the calculation or assessment of systems development charges or in preparing conformity determinations required under the federal Clean Air Act

***Finding OAR 660-012-0060(6): See Finding OAR 660-012-0060(1).***

***Conclusion OAR 660-012-0060(6): Not applicable.***

- (7) Amendments to acknowledged comprehensive plans and land use regulations that meet all of the criteria listed in subsections (a)–(c) shall include an amendment to the comprehensive plan, transportation system plan, the adoption of a local street plan, access management plan, future street plan, or other binding local transportation plan to provide for on-site alignment of streets or accessways with existing and planned arterial, collector, and local streets surrounding the site as necessary to implement the requirements in OAR 660-012-0020(2)(b) and 660-012-0045(3):

- (a) The plan or land use regulation amendment results in designation of two or more acres of land for commercial use;
- (b) The local government has not adopted a TSP or local street plan that complies with OAR 660-012-0020(2)(b) or, in the Portland Metropolitan Area, has not complied with Metro’s requirement for street connectivity as contained in Title 1, Section 3.08.110 of the Regional Transportation Functional Plan; and
- (c) The proposed amendment would significantly affect a transportation facility as provided in section (1).

***Finding OAR 660-012-0060(7): The proposed amendments are legislative in nature, shaping policy and apply to resource lands throughout the City and are not specific to a specific subject property. The Transportation System Plan for the City of Central Point was acknowledged in 2008. As demonstrated in the findings and conclusions for***

*OAR 660-012-0060(1), the proposed amendments do not significantly affect transportation facilities.*

**Conclusion OAR 660-012-0060(7): Not applicable.**

(8) A “mixed-use, pedestrian-friendly center or neighborhood” for the purposes of this rule, means:

(d) Any one of the following:

- i. An existing central business district or downtown;
- ii. An area designated as a central city, regional center, town center, or main street in the Portland Metro 2040 Regional Growth Concept;
- iii. An area designated in an acknowledged comprehensive plan as a transit-oriented development or a pedestrian district; or
- iv. An area designated as a special transportation area as provided for in the Oregon Highway Plan.

(e) An area other than those listed in subsection (a) which includes or is planned to include the following characteristics:

(A) A concentration of a variety of land uses in a well-defined area, including the following:

- (i) Medium to high density residential development (12 or more units per acre);
- (ii) Offices or office buildings;
- (iii) Retail stores and services;
- (iv) Restaurants; and
- (v) Public open space or private open space that is available for public use, such as a park or plaza.

(B) Generally include civic or cultural uses;

(C) A core commercial area where multi-story buildings are permitted;

(D) Buildings and building entrances oriented to streets;

- (E) Street connections and crossings that make the center safe and conveniently accessible from adjacent areas;
- (F) A network of streets and, where appropriate, accessways and major driveways that make it attractive and highly convenient for people to walk between uses within the center or neighborhood, including streets and major driveways within the center with wide sidewalks and other features, including pedestrian-oriented street crossings, street trees, pedestrian-scale lighting and on-street parking;
- (G) One or more transit stops (in urban areas with fixed route transit service); and
- (H) Limit or do not allow low-intensity or land extensive uses, such as most industrial uses, automobile sales and services, and drive-through services.

***Finding OAR 660-012-0060(8):*** *The proposed amendments are legislative in nature, shaping policy and apply to resource lands throughout the City and are not directed to a specific subject property or type of development.*

***Conclusion OAR 660-012-0060(8):*** *Not applicable.*

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned facility if all of the following requirements are met:

- (a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;
- (b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and,
- (c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

***Finding OAR 660-012-0060(9):*** *The proposed amendments add resource areas to the Environmental Overlay in the Land Use Element and establish standards for properties that have identified resource areas; however, the amendments do not*

*amend or otherwise alter the underlying zoning of property affected by the comprehensive plan and map amendments.*

**Conclusion OAR 660-012-0060(9)(c): Not applicable.**

(10) Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional plan, a comprehensive plan or a land use regulation without applying performance standards related to motor vehicle traffic congestion (e.g. volume to capacity ratio or V/C), delay or travel time if the amendment meets the requirements of subsection (a) of this section. This section does not exempt a proposed amendment from other transportation performance standards or policies that may apply including, but not limited to, safety for all modes, network connectivity for all modes (e.g. sidewalks, bicycle lanes) and accessibility for freight vehicles of a size and frequency required by the development.

(a) A proposed amendment qualifies for this section if it:

- (A) Is a map or text amendment affecting only land entirely within a multimodal mixed-use area (MMA); and
- (B) Is consistent with the definition of an MMA and consistent with the function of the MMA as described in the findings designating the MMA.

(b) For the purpose of this rule, “multimodal mixed-use area” or “MMA” means an area:

- (A) With a boundary adopted by a local government as provided in subsection (d) or (e) of this section and that has been acknowledged;
- (B) Entirely within an urban growth boundary;
- (C) With adopted plans and development regulations that allow the uses listed in paragraphs (8)(b)(A) through (C) of this rule and that require new development to be consistent with the characteristics listed in paragraphs (8)(b)(D) through (H) of this rule;
- (D) With land use regulations that do not require the provision of off-street parking, or regulations that require lower levels of off-street parking than required in other areas and allow flexibility to meet the parking requirements (e.g. count on-street parking, allow long-term leases, allow shared parking); and
- (E) Located in one or more of the categories below:

- (i) At least one-quarter mile from any ramp terminal intersection of existing or planned interchanges;
  - (ii) Within the area of an adopted Interchange Area Management Plan (IAMP) and consistent with the IAMP; or
  - (iii) Within one-quarter mile of a ramp terminal intersection of an existing or planned interchange if the mainline facility provider has provided written concurrence with the MMA designation as provided in subsection (c) of this section.
- (c) When a mainline facility provider reviews an MMA designation as provided in subparagraph (b)(E)(iii) of this section, the provider must consider the factors listed in paragraph (A) of this subsection.
  - (A) The potential for operational or safety effects to the interchange area and the mainline highway, specifically considering:
    - (i) Whether the interchange area has a crash rate that is higher than the statewide crash rate for similar facilities;
    - (ii) Whether the interchange area is in the top ten percent of locations identified by the safety priority index system (SPIS) developed by ODOT; and
    - (iii) Whether existing or potential future traffic queues on the interchange exit ramps extend onto the mainline highway or the portion of the ramp needed to safely accommodate deceleration.
  - (B) If there are operational or safety effects as described in paragraph (A) of this subsection, the effects may be addressed by an agreement between the local government and the facility provider regarding traffic management plans favoring traffic movements away from the interchange, particularly those facilitating clearing traffic queues on the interchange exit ramps.
- (d) A local government may designate an MMA by adopting an amendment to the comprehensive plan or land use regulations to delineate the boundary following an existing zone, multiple existing zones, an urban renewal area, other existing boundary, or establishing a new boundary. The designation must be accompanied by findings showing how the area meets the definition of an MMA. Designation of an MMA is not subject to the requirements in sections (1) and (2) of this rule.

- (e) A local government may designate an MMA on an area where comprehensive plan map designations or land use regulations do not meet the definition, if all of the other elements meet the definition, by concurrently adopting comprehensive plan or land use regulation amendments necessary to meet the definition. Such amendments are not subject to performance standards related to motor vehicle traffic congestion, delay or travel time.

***Finding OAR 660-012-0060(10): The proposed amendments are legislative in nature, shaping policy and apply to resource lands throughout the City and are not directed to a specific subject property or type of development.***

***Conclusion OAR 660-012-0060(10): Not applicable.***

- (11) A local government may approve an amendment with partial mitigation as provided in section (2) of this rule if the amendment complies with subsection (a) of this section, the amendment meets the balancing test in subsection (b) of this section, and the local government coordinates as provided in subsection (c) of this section.

- (a) The amendment must meet paragraphs (A) and (B) of this subsection.

- (A) Create direct benefits in terms of industrial or traded-sector jobs created or retained by limiting uses to industrial or traded-sector industries.

- (B) Not allow retail uses, except limited retail incidental to industrial or traded sector development, not to exceed five percent of the net developable area.

- (C) For the purpose of this section:

- (i) “Industrial” means employment activities generating income from the production, handling, or distribution of goods including, but not limited to, manufacturing, assembly, fabrication, processing, storage, logistics, warehousing, importation, distribution and transshipment, and research and development.

- (ii) “Traded-sector” means industries in which member firms sell their goods or services into markets for which national or international competition exists.

- (b) A local government may accept partial mitigation only if the local government determines that the benefits outweigh the negative effects on local transportation facilities and the local government receives from the provider of any transportation facility that would be significantly affected written concurrence that the benefits outweigh the negative effects on their transportation facilities. If the

amendment significantly affects a state highway, then ODOT must coordinate with the Oregon Business Development Department regarding the economic and job creation benefits of the proposed amendment as defined in subsection (a) of this section. The requirement to obtain concurrence from a provider is satisfied if the local government provides notice as required by subsection (c) of this section and the provider does not respond in writing (either concurring or non-concurring) within 45 days.

- (c) A local government that proposes to use this section must coordinate with Oregon Business Development Department, Department of Land Conservation and Development, area commission on transportation, metropolitan planning organization, and transportation providers and local governments directly impacted by the proposal to allow opportunities for comments on whether the proposed amendment meets the definition of economic development, how it would affect transportation facilities and the adequacy of proposed mitigation. Informal consultation is encouraged throughout the process starting with pre-application meetings. Coordination has the meaning given in ORS 197.015 and Goal 2 and must include notice at least 45 days before the first evidentiary hearing. Notice must include the following:
  - (A) Proposed amendment.
  - (B) Proposed mitigating actions from section (2) of this rule.
  - (C) Analysis and projections of the extent to which the proposed amendment in combination with proposed mitigating actions would fall short of being consistent with the performance standards of transportation facilities.
  - (D) Findings showing how the proposed amendment meets the requirements of subsection (a) of this section.
  - (E) Findings showing that the benefits of the proposed amendment outweigh the negative effects on transportation facilities

***Finding OAR 660-012-0060(11):*** *The proposed amendments are legislative in nature, shaping policy and apply to resource lands throughout the City and are not directed to a specific subject property or type of development. As demonstrated in the findings and conclusions for OAR 660-012-0060(1), the proposed amendments do not significantly affect transportation facilities, the functional plan will not change and mitigation is not required.*

***Conclusion OAR 660-012-0060(11):*** *Not applicable.*

#### PART 4 – CONCLUSION

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As evidenced in findings and conclusions provided in Part 3, the proposed Comprehensive Plan and zone text amendment is consistent with applicable standards and criteria in the Central Point Municipal Code, including the Statewide Planning Goals (where applicable), Comprehensive Plan, and Statewide Transportation Planning Rule.

**PLANNING COMMISSION RESOLUTION NO. 940**

**A RESOLUTION FORWARDING A FAVORABLE RECOMMENDATION FOR MAJOR AMENDMENTS TO THE COMPREHENSIVE PLAN ENVIRONMENTAL MANAGEMENT ELEMENT TEXT AND ENVIRONMENTAL OVERLAY MAP IN THE LAND USE ELEMENT**

**FILE NO. CPA-23004**

Applicant: City of Central Point

**WHEREAS**, the Environmental Management Element of the Comprehensive Plan was last updated in March 1983 and does not adequately address Statewide Planning Goals 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces), Goal 6 (Air, Water and Land Resources Quality), and Goal 7 (Areas Subject to Natural Disasters and Hazards); and

**WHEREAS**, the City has completed its first comprehensive Wetland and Riparian Corridor Inventory, which identifies and maps significant environmental resources within the City limits and Urban Growth Boundary; and

**WHEREAS**, the City updated its historic resources inventory to reflect current conditions and state requirements for historic resources; and

**WHEREAS**, updating the Environmental Management Element and adopting standards for environmental resources is necessary to support orderly annexation of lands into the City and ensure compliance with Oregon's Statewide Planning Goals; and

**WHEREAS**, on February 17, 2026 the City of Central Point Citizen's Advisory Committee considered and approved Resolution 2026-1 forwarding a favorable recommendation to the approve the proposed amendments; and

**WHEREAS**, the Planning Commission finds that the above referenced comprehensive plan amendments comply with the approval criteria set forth in CPMC 17.96, including the Statewide Planning Goals, Comprehensive Plan and Transportation Planning Rule as evidenced by the Planning Department Findings of Fact and Conclusions of Law in the Staff Report dated March 3, 2026 (Exhibit A) including all attachments therein.

**NOW, THEREFORE, BE IT RESOLVED**, that

Section 1: It is the intent of the City of Central Point Planning Commission to amend the Comprehensive Plan Environmental Management Element and the Environmental Overlay of the Land Use Element to incorporate the Local Wetland Inventory, Riparian Corridor Inventory and Historic Resources Inventory in order to address current conditions and comply with Statewide Planning Goals.

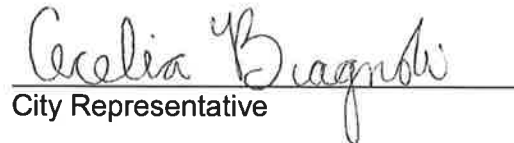
Section 2: The City of Central Point Planning Commission hereby forwards a favorable recommendation to the City Council to approve the amendments in File No. CPA-23004 as set forth the Planning Department Staff Report (Exhibit A), including the Planning Department Findings of Fact and Conclusions of Law, and all attachments therein.

Section 3: This decision is based upon the Planning Department Staff Report dated March 3, 2026, attached hereto as Exhibit A, including all attachments therein.

**PASSED** by the Planning Commission and signed by me in authentication of its passage this 3rd day of March 2026.

  
Planning Commission Chair

ATTEST:

  
City Representative

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO REPEAL AND REPLACE THE CENTRAL POINT  
COMPREHENSIVE PLAN ENVIRONMENTAL MANAGEMENT ELEMENT TEXT AND  
TO AMEND IN PART THE ENVIRONMENTAL OVERLAY MAP IN THE LAND USE  
ELEMENT**

**File No. CPA-23004**

**Recitals:**

A. 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.

B. In accordance with Oregon Administrative Rules (OAR) Chapter 660 the city is required to inventory and evaluate significant natural resources, including wetlands and riparian areas, consistent with Statewide Land Use Planning Goal 5.

C. In accordance with CPMC 17.96.200(A), by Resolution No. 1861 to the City Council, the Planning Department initiated the Major Amendment to the Comprehensive Plan Environmental Management Element text and Environmental Overlay Map in the Land Use Element.

D. In accordance with CPMC 17.05.500, the City of Central Point Citizen's Advisory Committee considered the proposed amendments at their meeting on February 17, 2026 and recommended the City Council approve the amendments.

E. In accordance with CPMC 17.05.500 the following duly noticed public hearings were conducted:

1. March 3, 2026 Planning Commission meeting, at which the Planning Commission considered and approved Resolution No. 940 forwarding a favorable recommendation to the City Council to approve the proposed amendments; and,
2. March 26, 2026 City Council meeting at which time the City Council considered the first reading of the ordinance amending the Environmental Management Element and the Environmental Overlay Map in the Land Use Element.

**THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

Section 1. Basis of Decision. Based upon all the information received, the City Council adopts the findings of fact and conclusions of law set forth in the City staff report dated March 26, 2026 including all attachments therein; determines that changing community

conditions, needs and desires justify the amendments and hereby adopts the changes entirely.

Section 2. The City of Central Point Environmental Management Element is amended in its entirety as provided in Exhibit A and is intended to repeal and replace the existing text.

Section 3. The City of Central Point Environmental Overlay Map in the Land Use Element is amended to add the Wetlands Overlay, as determined by the Central Point Local Wetland Inventory, and the Stream Corridor Overlay, as determined by the Central Point Riparian Inventory.

Section 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Recitals and boilerplate provisions (i.e. Recitals A-E) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

Section 5. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Passed by the Council and signed by me in authentication of its passage this  
\_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mayor Tanee W. Browning

ATTEST:

\_\_\_\_\_  
City Recorder

EXHIBIT A



# Environmental Management Element

2026-2046

City of Central Point Comprehensive Plan

City Council

April \_\_, 2026

Ordinance No. \_\_

Pg. 3 Ordinance No. \_\_\_\_\_ (\_\_\_\_/\_\_\_\_/2026)

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## 1. Introduction

Like many communities in the Rogue Valley, the City of Central Point developed in close proximity to land and water resources that helped supported its early growth. As the City continues to expand, urban development increasingly replaces agricultural lands and natural open areas, presenting new challenges for environmental stewardship.

While other elements of the Comprehensive Plan address the land needs for housing, commercial development and public services, the Environmental Management Element focuses on the impacts of urban growth on natural systems. It identifies threats to air, water and land resources, examines the sources of environmental degradation, and establishes strategies to manage, protect and enhance these resources. This element seeks to balance the City's development needs with the protection and sustainable use of natural systems that contribute to community health, safety and quality of life.

Recognizing the trade-offs inherent in land development, this element presents goals and policies aimed at improving and maintaining environmental quality within Central Point, while supporting the city's continued growth.

### 1.1 Background & Scope

Environmental management involves more than preserving specific natural resources, it requires a comprehensive approach to protecting the quality of the air, water, soils and ecosystems that support the community. The condition of natural resources is not independent of the physical setting, including the geography, climate and geology. In addition to mitigating the impacts of urban development, effective environmental management must also consider the risks posed by the natural environment itself, such as floods, wildfire, and other natural hazards.

This element addresses the conditions of environmental resources within City limits and across the Urban Growth Boundary (UGB). While the focus of this document is specific to Central Point, it is important to note the effects on natural resources from a growing urban area do not stop at a corporate limit just as conditions outside the City may influence the conditions experienced within the City.

The Environmental Management Element outlines the City's environmental goals and policies that emphasize protection, enhancement, resilience, and recreational access. The goals and policies are dynamic and should be reviewed and updated periodically to incorporate new information, best practices and emerging technology.

## 2. Purpose

As a key component of the Comprehensive Plan, the Environmental Management Element supports the City's commitment to responsible growth by providing a framework for sustainable resource management and risk reduction. It identifies pathways to minimize environmental impacts, enhance ecological functions, and strengthen resilience in the face of natural hazards.

Although Central Point is part of a broader regional system, local actions have meaningful effects, both within and beyond the city. By implementing the goals and policies in this element, the City can build partnerships, engage residents, and align development with strategies that reduce risk, improve environmental quality, and ensure a healthy, livable community.

### 2.1 Mission Statement

As Central Point continues to grow, it is essential to balance development with the protection of the natural environment. The following mission statement reflects the commitment to responsible planning that supports both ecological integrity and community well-being:

***Protect and enhance natural resources and maintain environmental quality while accommodating growth for a thriving, resilient and sustainable City.***

### 2.2 Planning Context

As part of the Comprehensive Plan, the Environmental Management Element works with the other elements to outline the City's vision to manage growth, development and livability. While other elements identify land needs and urban infrastructure for future urbanization, the Environmental Management Element focuses on the City's goals to protect natural resources, reduce pollution and enhance habitat and natural areas. It balances the need for future development with a safe, resilient and healthy environment.

The Environmental Management Element is also guided by Oregon's Statewide Planning Goals and reviewed for consistency with these goals. In particular, the Environmental Management Element is written for conformance to the standards for natural resources protection, maintaining the quality of resources, and specific to Central Point, identification of natural hazards.

### *2.2.1 Statewide Planning Goals*

The Central Point Comprehensive Plan is consistent with Oregon’s Statewide Planning Goals. The protection, maintenance and enhancement of natural resources is acknowledged in the following goals:

- *Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources*  
Central Point maintains comprehensive inventories of natural resources and implements programs to protect scenic, historic, and open space resources for current and future generations.
- *Goal 6: Air, Water and Land Resources Quality*  
The City monitors environmental quality, identifies pollution sources, and coordinates with regulatory agencies to mitigate degradation and enhance the quality of natural resources.
- *Goal 7: Areas Subject to Natural Hazards and Disasters*  
By identifying hazards, developing risk reduction strategies, and implementing resilience planning, Central Point enhances public health, safety and protects property from natural disasters.

### *2.2.2 Relationship to Other Comprehensive Plan Elements*

The individual elements of the City’s Comprehensive Plan are defined by their contents, proactively addressing growth and development needs of Central Point with a particular focus. The elements work together to inform the goals and policies throughout the comprehensive plan. The Environmental Management Element supports, and is supported by, the following elements:

- *Land Use Element.*  
The Land Use Element identifies projected land needs for residential, commercial and industrial land uses. The Environmental Management Element works with this analysis by identifying areas to be protected, degraded areas in need of restoration, and sources of pollution that can impact surrounding environmental resources. It ensures that future land use decisions consider natural systems and environmental limits, supporting more sustainable development patterns.
- *Urbanization Element.*  
Urbanization is the process by which the City grows and the Urbanization Element focuses on orderly, compact and efficient development patterns. The Environmental Management Element recognizes the environmental pressures from increased

growth/urbanization and provides the tools to mitigate these impacts. It encourages early identification of resource constraints, promotes the use of low-impact, green infrastructure and guides development away from environmentally-sensitive or disaster-prone areas – supporting a safe, healthy, livable urban area.

- **Parks Element.**

The Parks Element identifies projected needs for parks, open space and recreation areas. The Environmental Element supports this by identifying appropriate areas for recreation, enhancing natural areas, and protecting scenic and riparian corridors. Together, these elements promote access to nature that contributes to community well-being.

### 3. Key Issues

The Environmental Management Element provides the road map for managing Central Point’s natural resources while also guiding the city’s growth. As Central Point continues to develop, it must preserve its natural features and enhance environmental quality. The following issues are essential to maintaining a livable, resilient and sustainable future for the community.

- **Bear Creek Greenway**

The Bear Creek Greenway, encompassing Bear Creek and the adjacent open areas of the riparian corridor, is an important recreation and natural asset in Central Point. The corridor features significant riparian and wetland areas, providing important habitat and ecologic functions. The Bear Creek Trail is a continuous link between the Rogue Valley communities, recreation facilities, and other important destinations such as schools and businesses.

The conditions along the Greenway, specifically abundant invasive species, an overgrowth of blackberries, and lack of fuel breaks, provided fuels for wildfires in 2018 and 2020 that affected the Greenway by destroying a lot of the beneficial habitat and limiting recreation due to hazardous conditions. In addition, Bear Creek does not meet water quality standards and low summer flows are easier to heat due to the loss of canopy/vegetation, creating warm water temperatures that are harmful to fish populations.

The City’s portion of the Greenway is comprised of two sites:

- A 54-acre site between Biddle Road and Table Rock Road
- A 34-acre site on the north side of the City, referred to as the Creekside Property.

These areas contribute to the overall recreation land needs identified in the Parks Element. The City needs additional planning and recreation amenities along the Greenway in order to carry out the full potential of this resource.

- **Mapping & Inventory Updates**

A comprehensive inventory of the City's environmental, scenic and natural resources is an important step in identifying their location, extent and quality. The Environmental Element was last updated in 1983 and current inventories for these key resources – including wetlands, riparian areas and historic sites – are lacking.

Accurate, up-to-date inventories are necessary because areas may be difficult to observe year-round due to seasonal changes (e.g. wetlands drying in summer) or past development impacts. The riparian and wetland inventories adopted as part of this Element are incorporated into the Environmental Overlay established in the Land Use Element, and are implemented through the City's Official Zoning Map Series. These overlay districts work alongside base zoning to inform planning and development decisions and enhance the City's ability to identify and protect sensitive areas.

Current data ensures that City staff and developers have the accurate information needed to ensure protection of resources and minimize additional impacts as Central Point continues to grow. The Flood Overlay, Stream Corridor Overlay, and Wetland Overlay Maps are included as Figures 1, 2, and 3 of this Element and are adopted as component sheets of the Official Zoning Map Series.

- **Growth & Urbanization**

Protecting environmental resources is a core value of the Environmental Management Element, and the City's overall livability depends on striking a balance between growth and resource conservation. Urbanization, development and population growth significantly impact the surrounding environment through land use changes, increased air and water pollution, higher energy consumption and waste management challenges.

When environmental goals compete with other City priorities, such as economic development or housing production, the City must strongly consider environmental protection and the natural processes that safeguard public health.

The City can play a key role in protecting and enhancing the environment through both policy development and regulatory authority. By designating lands for future growth and identifying potential conflicts early, the City can guide more efficient development

while minimizing impact to natural resources. Through regulations that promote alternative design approaches, green infrastructure and habitat connectivity, the City ensures development can exist with - and even enhance – the preservation of natural resources.

- **Climate Change**

Climate change is a global issue, but Central Point and the Rogue Valley are already experiencing its impacts. The region is experiencing:

- Higher temperatures
- More frequent and severe wildfires
- Shifts in precipitation patterns
- Stressed water sources and ecosystems

These changes are increasing the pressure on natural systems and community infrastructure. While climate change is a global challenge, local action is essential and Central Point is already providing leadership.

The City promotes compact development, mixed use, walkable neighborhoods, and transportation choices that reduce car dependence. By coordinating land use with transportation planning, Central Point is helping to build a more resilient, sustainable community.

By understanding the characteristics of climate change, Central Point can make better decisions that reduce risks and protect vital resources. To prepare for climate-related challenges, the City must:

- Identify natural resources most at risk
- Invest in restoration, enhancement and mitigation efforts
- Integrate environmental planning with emergency preparedness

.

## 4. Environmental Management Priorities

Urbanization has created pressure on the City's natural systems between the need for growth and the desire to protect habitat and sensitive lands. In some areas, development has outpaced environmental planning, leading to habitat fragmentation, water quality degradation and loss of open space. To address these concerns, Central Point is prioritizing proactive environmental management. The city aims to integrate preventive, rather than corrective, strategies into its land use planning efforts.

### 4.1 Guiding Principles of Environmental Management

The Environmental Management Element identifies guiding principles that reflect the City's commitment to a "safe, family-friendly, livable community." These principles provide the foundation of environmental management and future decision-making.

- ***Balance.***

A healthy environment depends on balance – between people, nature and the impacts of growth. In Central Point, environmental management must manage the conflicts between urban growth and environmental protection. Finding balance means navigating the trade-offs that support a livable, resilient and equitable community.

- ***Livability.***

Livability reflects the city's ability to meet the needs of its residents – providing a safe, clean city with meaningful connections, meaningful ways to appreciate and create culture, and ensure resilience in the face of changes (economic, social or environmental). Environmental quality is essential to creating a healthy, vibrant city where people want to live.

- ***Resilience.***

Resilience is the ability to recover from a disturbance, such as a natural disaster like a wildfire or a flood. In this plan, resilience means two things:

1. Healthy natural areas. Healthy habitats and open spaces that are better able to withstand changes (encroachment, pollution, etc..).
2. Prepared Communities. Prepared communities are more capable of responding to and recovering from natural disasters.

- ***Stewardship.***

Stewardship is a shared responsibility for the ongoing protection and enhancement of natural resources in and around Central Point. By involving the community in these efforts, those that use and enjoy these resources can help manage and conserve them.

- ***Sustainability***

Sustainability in Central Point means using resources efficiently, reducing environmental impacts, and supporting systems that endure over time. A sustainable approach involves

long-term planning for the conservation of resources, reducing waste and emissions and strategies for a resilient future.

- **Safety.**

Environmental safety is essential for people to live and work in Central Point. A safe environment includes clean air and water, well-maintained open spaces and natural areas, and mitigation efforts to reduce risks from natural hazards such as wildfires and floods.

Central Point is committed to environmental safety across all neighborhoods.

## 4.2 Nature Based Solutions

Urban development often replaces natural landscapes with buildings, roads, and other infrastructure. This transformation can disrupt natural processes, contribute to environmental degradation, and increase vulnerability to natural hazards such as flooding, wildfire, and extreme heat.

Nature-based solutions integrate natural elements into the design and management of urban spaces. These solutions aim to restore and enhance natural processes, providing environmental, social, and economic benefits while supporting the resilience of both the built and natural environment.

Nature-based solutions in Central Point can be implemented at a variety of scales—from citywide projects to improvements on individual properties. Regardless of their size, these interventions contribute to citywide benefits.

By prioritizing nature-based solutions, Central Point can create a more sustainable, resilient, and livable city for current and future residents.

### **Nature-based solutions can help to:**

- Improve air and water quality
- Restore and protect wetlands and riparian areas
- Create or expand parks and green spaces
- Reduce flood risk by improving stormwater management
- Mitigate urban heat through increased tree canopy and green infrastructure
- Support recovery and restoration of areas affected by wildfire

### **Examples of nature-based solutions applicable to Central Point include:**

- Rain gardens and bioswales
- Urban tree planting programs
- Restoration of riparian corridors
- Green roofs
- Fire-resistant native landscaping

- Community gardens and pocket parks

## 5. Environmental Goals & Policies

The protection of natural resources is necessary to preserve a healthy, sustainable environment in an urban setting. Protection of these resources today ensures that as the community grows, increases density, and expands its boundaries the natural landscape will be preserved for the health, safety and welfare of its citizens. Natural resources provide aesthetic beauty and their protection benefits property values and increases the livability of the City.

With the broad range of topics covered by the Environmental Element, this element provides overarching environmental goals:

- Protect and Conserve Natural Resources
- Maintain and Enhance Water & Air Quality
- Urban Environmental Quality and Land Stewardship
- Reduce Risks from Natural Hazards
- Education and Outreach

The conclusions and goals in each section identify opportunities to engage with the natural and built environment for ways to reduce risks, manage resources, and where appropriate enhance interaction and engagement of the residents.

### 5.1 Protect and Conserve Natural Resources

Central Point is home to a variety of natural resources including wetlands, riparian zones, fish-bearing streams, diverse habitats and corridors, a healthy tree canopy, and a wide variety of plant and animal species. One of the most significant resources is Bear Creek - a regionally important waterway that flows through the City. These natural assets not only support biodiversity and ecological health, but also play an important part of resiliency and safety – such as managing stormwater and reducing flood risks. They offer valuable recreational opportunities and enhance Central Point’s strong sense of place and connection to the environment. Protecting and conserving these resources is essential to ensuring their long-term vitality, maintaining ecological balance, and preserving the natural character that defines Central Point.

#### Goal:

Central Point is committed to protecting and enhancing natural resources, including wetlands, waterways and biodiversity as vital components of a healthy, resilient and connected community. The City will protect these resources through thoughtful stewardship, sustainable

planning, and community engagement to ensure their long-term health and availability for future generations.

#### *Policies*

1. Update and maintain natural resource inventories, including maps and current conditions.
2. Promote public education and collaborate with partners to raise awareness on the conditions of natural resources and the importance of protection.
3. Maintain and restore natural ecosystem processes by incorporating nature-based solutions and low impact development into construction methods.
4. Develop regulations to ensure a balanced approach to growth and resource protection, including standards for sound management of publicly- and privately-owned habitat areas.

#### *5.1.1 Wetlands and Riparian Areas*

Wetlands and riparian areas are valuable for their ecological functions and recreation opportunities where appropriate. These natural systems, depicted on the Stream Corridor Overlay Map and Wetland Overlay Map (see Figures 2 and 3), adopted as component sheets of the Official Zoning Map Series and incorporated in the Environmental Overlay of the Land Use Element, enhance air and water quality by filtering harmful pollutants, reduce the impacts of flooding by temporarily absorbing storm flows, provide important habitat for a variety of plant and animal species, as well as create open space for outdoor recreation, education and research.

Central Point's fish-bearing streams and locally significant wetlands are protected through a "safe harbor" approach, consistent with Oregon's Statewide Planning Goal 5. This approach protects wetlands from development and establishes standard buffer widths along riparian corridors to protect aquatic habitat and improve water quality. Smaller, non-fish-bearing streams, while not subject to the same safe harbor standards, are still recognized for their important role in supporting the overall health of the city's watershed and maintaining water quality. These protections align with the objectives of Statewide Planning Goal 6, which focuses on maintaining and improving the quality of air, water, and land resources.

#### *Goal:*

The city will protect and enhance natural habitats and wildlife corridors to ensure the long-term sustainability of local wetlands, riparian areas, and other ecosystems. The city will also educate the public about the benefits of wetlands and riparian areas by promoting their protection and encouraging stewardship and restoration.

#### *Policies*

1. Develop regulations aimed at no net loss of resource areas by balancing future growth with natural resource protection by regulating land use activities that could adversely affect waterways, wetlands and riparian areas.

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2. Consider impacts to habitat connectivity and follow the mitigation sequence to avoid resource areas, minimize disturbances and mitigate impacts as part of the development review process.
3. Protect and enhance riparian vegetation that provides habitat and improves water quality along creeks and streams through the use of best available science and management practices.
4. Encourage and incentivize voluntary restoration of natural resource areas, including removal of invasive species and planting native vegetation.
5. Develop outreach programs on the value of wetlands and riparian areas and encourage volunteer opportunities such as clean-up projects, tree planting and habitat restoration.

#### *5.1.2 Bear Creek Greenway*

Access to Bear Creek Greenway is one of Central Point's key assets. It provides active and passive recreation opportunities; however, access to natural features is limited in areas due to post-wildfire conditions and limited facilities. In an effort to enhance the Greenway following the wildfires, the City began the conceptual plan process to develop a healthier and more accessible Greenway.

In addition, the City partnered with the Freshwater Trust to improve a 5.4-acre area within the Bear Creek Greenway. This partnership seeks to enhance stream-side vegetation with native plants and trees to improve water quality and temperatures in Bear Creek and make the Greenway more aesthetically pleasing for City residents.

#### *Goal:*

The City will protect, enhance, and maintain the Bear Creek Greenway within the City's limits in a manner that recognizes the unique natural, scenic, and recreational qualities.

#### *Policies*

1. Create management plans that protect, conserve, enhance and maintain the natural and scenic qualities of the Bear Creek Greenway and the Creekside properties.
2. Enhance the recreational use of lands within the Bear Creek Greenway while protecting and conserving natural resources.
3. Provide safe connections between the Bear Creek Greenway and existing and future parks.
4. Coordinate with other jurisdictions for consistent maintenance and standards of service.

## 5.2 Maintain and Enhance Air & Water Quality

Clean air and water are essential for public health, and a safe, sustainable environment. Investing in, and ensuring, air and water quality not only improves public health, but also improves resiliency and environmental quality in the face of changes – through development, urbanization, climate change or natural disasters. The City’s programs focus on local efforts that compliment federal and state regulations to combat pollution, support regulation and enhance protection.

### 5.2.1 Air Quality

Poor air quality can lead to significant health issues, damage ecosystems by harming plants and animals and contribute to climate change. It can also increase environmental degradation through acid rain and smog. While air pollution is often associated with the visible impacts like smoke and particulates, noise is an over-looked aspect of air quality. Elevated noise levels can negatively impact public health and disturb wildlife behavior and habitats.

Cities are noisy places due to traffic, commercial activity and industrial operations. By recognizing the connection between air quality and noise, Central Point establishes a link between harmful pollutants, disruptive noise and their effects on the surrounding environment. Through thoughtful planning that includes an emphasis on development suitability and efficient land use patterns, the City can reduce internal traffic, limit exposure to noise, and enhance livability.

Central Point is located within the Medford-Ashland Air Quality Maintenance Area (AQMA) (see Appendix A), which was established in response to historical exceedances of federal air quality standards for particulate matter (PM10) and carbon monoxide (CO). This AQMA designation covers portions of Jackson County and is managed in collaboration with the Oregon Department of Environmental Quality (DEQ). Through coordinated regional efforts and the implementation of long-term control strategies, including emissions reductions, street sweeping programs, and open burning restrictions, the AQMA has successfully met federal Clean Air Act standards. Central Point continues to participate in these efforts by aligning its planning and transportation policies with AQMA objectives, ensuring continued compliance and contributing to improved regional air quality.

#### Goal:

The City will promote a healthier, more livable urban environment by improving air quality and reducing disruptive noise through sustainable development, encouraging efficient land use patterns and targeted policies that protect public health, support environmental resilience and enhance livability for all residents.

#### Policies

1. Encourage or require efficient land use patterns with multiple transportation system design options that reduce vehicle miles traveled and mitigate noise impacts.

2. Implement and maintain an urban forestry program, including completion of an Urban Forest Assessment and Canopy Study that identify gaps in the urban forest and opportunities to expand the tree canopy.
3. Collaborate with other agencies, municipalities, and partners to coordinate responses on opportunities to limit effects of wildfire smoke especially on the City's most vulnerable population(s).
4. Pursue strategies to reduce noxious odors from intensive agriculture uses outside City limits.

### *5.2.2 Water Quality*

Water quality refers to the condition of water in relation to its intended use and the environmental context where it exists. Federal and state regulations set standards for various types of water, including drinking water, stormwater runoff, surface water in streams and wastewater. Although these different uses and locations of water are addressed separately, water continuously cycles through the environment and its quality can be impacted by how it is used elsewhere in the water cycle.

Local strategies, such as pre-treating stormwater runoff from streets before it enters streams help reduce the amount of pollutants entering the system. These measures not only improve water quality in the City, they also enhance healthier stream ecosystems.

Clean streams are necessary for recreational use and healthy ecosystems are resistant to the impacts of climate change, reducing risks from floods and droughts.

#### *Goal:*

The City will improve livability by reducing pollution sources, restoring natural water systems and protecting water resources to ensure clean, accessible and resilient water for all residents.

#### *Policies*

1. Update and implement regulations that enhance stormwater management standards, reduce polluted stormwater runoff entering the storm drainage system and local waterways, and support the City's commitment to watershed health.
2. Prioritize sustainable, nature-based solutions – such as Low Impact Development (LID) practices and green infrastructure – that minimize impervious surfaces.
3. Coordinate with local organizations on floodplain restoration and watershed improvement projects, with the goal of achieving no net loss of ecological functions.
4. Promote the conservation of water resources through water quality protection, public education, monitoring and policies that promote efficient water usage.
5. Work with other water and land use interests to assure the integrity and quality of drinking water supplies.

6. Pursue wastewater reduction and recycling strategies for wastewater collection system management.

### 5.3 Urban Environmental Quality and Land Stewardship

The urban environment of Central Point includes both the built features of the city, such as buildings, streets, and infrastructure, and natural elements such as parks, landscaping, and open spaces. Together these components influence environmental quality, public health, and the overall livability of the community.

As the city grows and redevelops, it is important to manage environmental conditions within developed areas and ensure that development practices minimize impacts on land, water, and other natural resources. Integrating natural features, encouraging responsible construction practices, and supporting the reuse of previously developed land can help maintain environmental quality while accommodating growth.

#### 5.3.1 Urban Environmental Quality

The urban environment of Central Point includes both the built features of the city, such as buildings, streets, and infrastructure, and natural elements such as parks, landscaping, and open spaces. Together these components influence environmental quality, public health, and the overall livability of the community.

As the city grows and redevelops, it is important to manage environmental conditions within developed areas and ensure that development practices minimize impacts on land, water, and other natural resources. Integrating natural features, encouraging responsible construction practices, and supporting the reuse of previously developed land can help maintain environmental quality while accommodating growth.

#### Goal:

Enhance the environmental quality of the built environment to support community health, safety, and livability.

#### Policies

1. Protect and enhance natural features within the urban area that contribute to environmental quality, and ecological function..
2. Encourage the incorporation of landscaping, open space and green infrastructure in development and public facilities. .
3. Promote development practices that minimize impacts to soil, water, and other natural resources.
4. Encourage community participation in programs that support environmental stewardship and improve the quality of the urban environment.

### 5.3.2 Urban Land Stewardship

Urban growth and redevelopment can place pressure on land resources through soil disturbance, construction activity, and waste generation. Responsible land stewardship helps prevent erosion, reduce waste, and protect environmental quality.

Previously developed or contaminated properties may also present opportunities for environmental improvement through remediation and reuse. Supporting the cleanup of brownfields and encouraging renovation of existing structures can reduce environmental impacts while making efficient use of land within the city.

#### Goal:

Promote responsible stewardship of land resources by reducing environmental impacts associated with development and support the reuse of previously developed sites.

#### Policies

1. Encourage the use of best management practices during construction to prevent erosion and protect soil resources.
2. Support waste reduction and recycling efforts, including the reuse of construction and demolition materials.
3. Support the cleanup, remediation, and reuse of brownfields and other potentially contaminated sites.
4. Encourage the renovation and adaptive reuse of existing buildings, where feasible, to reduce waste and resource consumption.

### 5.4 Historic Resources

Incorporated in 1889, the city is located in the “central point” of the Rogue Valley and served as an important hub for early commerce and transportation in the valley. Its central location provided connection between the local resources and products to outside areas. The original town center was situated near what is now Interstate 5, but was relocated a ½-mile to the west in 1883 when the tracks of the Oregon-California Railroad bypassed the town. The construction of major transportation corridors, including Highway 99 & Interstate 5, further solidified the City’s role as a regional connector and continues to bring visitors, new residents and additional growth.

Although no formal archaeological site survey has been conducted within Central Point, there is potential for prehistoric sites. Documented archaeological discoveries along the Rogue River in nearby communities of Gold Hill and Trail highlight the importance of riparian areas for prehistoric use. Generally, sites are small due to the modest size and mobility of the tribal groups using the rugged landscape of Southwestern Oregon.

#### Goal:

The City will protect, and where appropriate enhance, historic resources and ensure their continued contribution to the history of the city.

#### *Policies*

1. Support the identification, recognition, development, and promotion of historic buildings through City programs or other organizations.
2. Maintain survey information that accurately reflects the historic characteristics and quality of each of the City's historic structures.
3. In cooperation with state agencies, determine the location of any known archaeological sites as information becomes available and protect available information to minimize vandalism of the site.

### **5.5 Reduce Risks From Natural Hazards**

The City of Central Point is exposed to a wide range of natural hazards that pose potential risks to the safety, health, and well-being of its residents. While the frequency and severity of these events have historically been moderate, the City has nonetheless experienced significant impacts from winter storms, severe weather events, flooding, and, more recently, an increasing number of wildfires.

Central Point identifies eight (8) natural hazards that have the potential to affect the community: earthquakes, floods, wildfires, extreme weather, drought, landslides, volcanic activity, and windstorms. While some of these hazards—such as earthquakes or regional wildfires—may affect the entire city, others may have more localized impacts depending on geography, infrastructure, and land use patterns. The Natural Hazard Areas Map (see Appendix A, Figure 4) highlights areas most at risk of wildfire in the Wildland Urban Interface (WUI). The Flood Overlay Map (see Appendix A, Figure 1), adopted as a component sheet of the Official Zoning Map Series, is based on the effective Flood Insurance Rate Map (FIRM) as amended by current Letters of Map Amendment (LOMAs) and Letters of Map Revision (LOMRs).

Recognizing the evolving nature of these threats, hazard mitigation has become a key priority for the City. Proactive mitigation planning allows Central Point to reduce vulnerability, safeguard critical infrastructure, and ensure a faster and more coordinated response and recovery when disasters do occur. Integrating hazard mitigation into citywide planning and development strategies not only protects public safety but also supports long-term community resilience, economic stability, and environmental stewardship.

By identifying specific hazard risks and implementing targeted mitigation strategies, Central Point is working to build a safer, more adaptable community—one that can effectively respond to changing conditions and recover more quickly from future disasters. This focus on mitigation

is essential to protecting public investments, preserving quality of life, and ensuring a sustainable future for all who live and work in Central Point.

*Goal:*

The City will facilitate and support policies, practices and programs that prepares Central Point for natural disasters, mitigates the risk of damage and plans for a coordinated response to emergencies.

*Policies*

1. Continue to analyze risks and delineate hazard areas, ensuring hazard maps, probability and community vulnerability are as current as possible.
2. Improve public awareness of the risks from natural hazards.
3. Develop policies and programs to reduce negative impacts and improve response and recovery following a natural disaster.
4. Regulate floodplains to protect and restore associated natural resources and functions, increase flood storage capacity, provide salmon habitat, minimize the adverse impacts of flood events, and promote climate change resiliency.
5. Amend regulations and management practices as needed for the purpose of protecting life and property.
6. Coordinate with government and non-government partners, including Jackson County and other cities, in addressing hazard mitigation priorities.

## 5.6 Education and Outreach

As Central Point continues to grow, it is important to involve residents, neighboring communities and institutions in participation of protecting and enhancing the natural environment of the area. A well-informed and actively engaged community is important to achieving long-term goals and maintaining a healthy and livable city. Education and outreach play a critical role by promoting awareness, encouraging stewardship, and supporting inclusive engagement. The following goals and policies aim to create a culture of environmental responsibility.

*Goal:*

The City will Increase community awareness of maintaining healthy resources, encourage participation in environmental initiatives, and increase awareness of impacts through public outreach efforts, educational programs and collaboration with community partners.

*Policies*

1. Maintain an up-to-date environmental section on the City's website with resources, best practices, and opportunities for involvement.
2. Develop and distribute educational materials on topics such as water conservation, waste reduction, native landscaping, wildfire risk, and air quality.

3. Support and partner with local schools, nonprofit organizations, and regional agencies to provide environmental education programs for all age groups.
4. Promote community events such to engage residents in environmental practices and to visit natural resource areas.

## Appendix A. Maps

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**Figure 1:** Flood Overlay Map (*based on the effective Flood Insurance Rate Map (FIRM) as amended by current LOMAs and LOMRs; component sheet of the Official Zoning Map Series*)

**Figure 2:** Stream Corridor Overlay Map (*component sheet of the Official Zoning Map Series*)

**Figure 3:** Wetland Overlay Map (*component sheet of the Official Zoning Map Series*)

**Figure 4:** Natural Hazard Areas Map (*reference map; wildfire/WUI boundary sourced from the Natural Hazard Mitigation Plan; flood hazard areas based on the effective FIRM*)

**Figure 5:** Air Quality Maintenance Area Map (*reference map; Medford-Ashland AQMA boundary administered by DEQ*)

FIGURE 1: FLOOD OVERLAY MAP

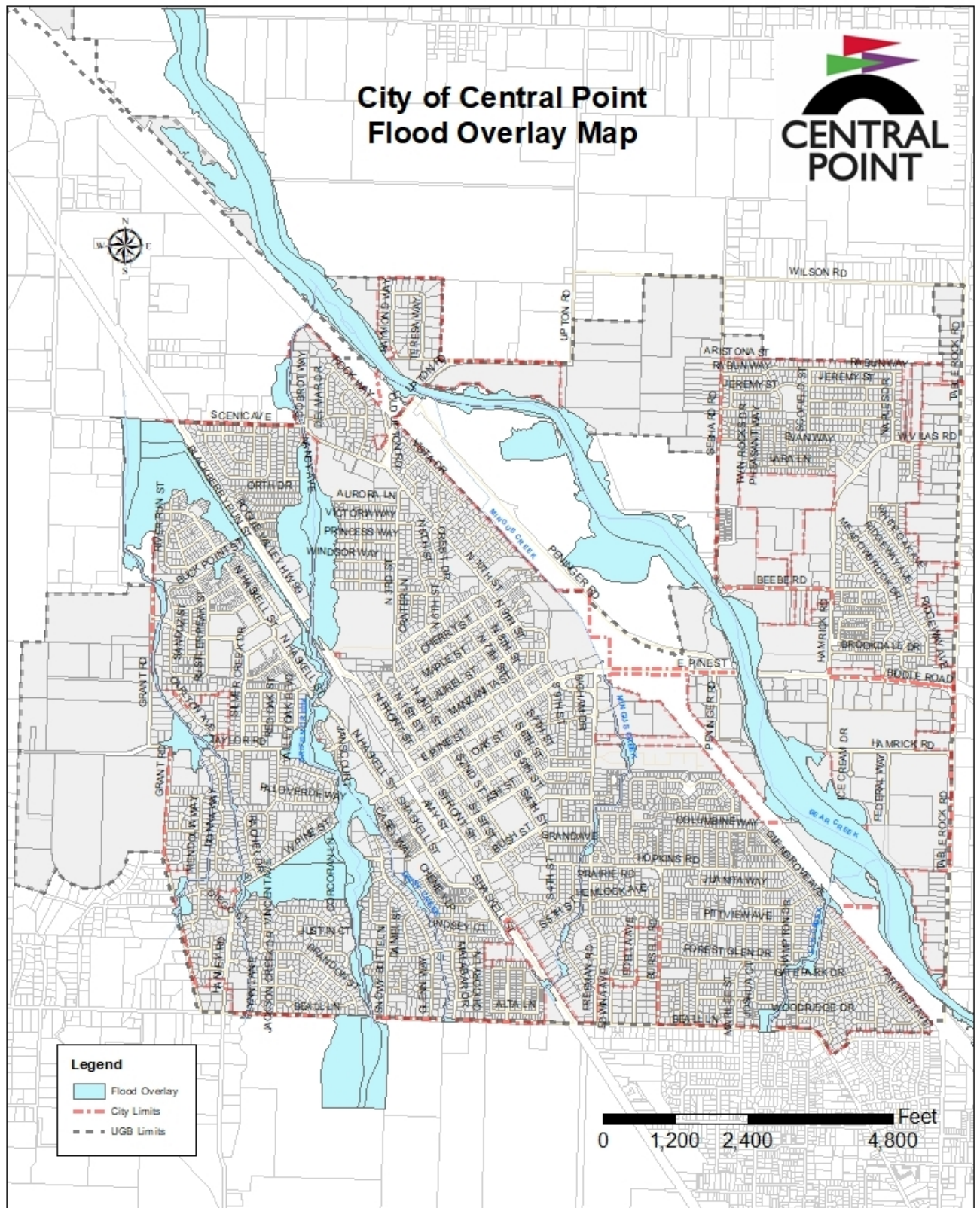


FIGURE 2: STREAM CORRIDOR OVERLAY MAP

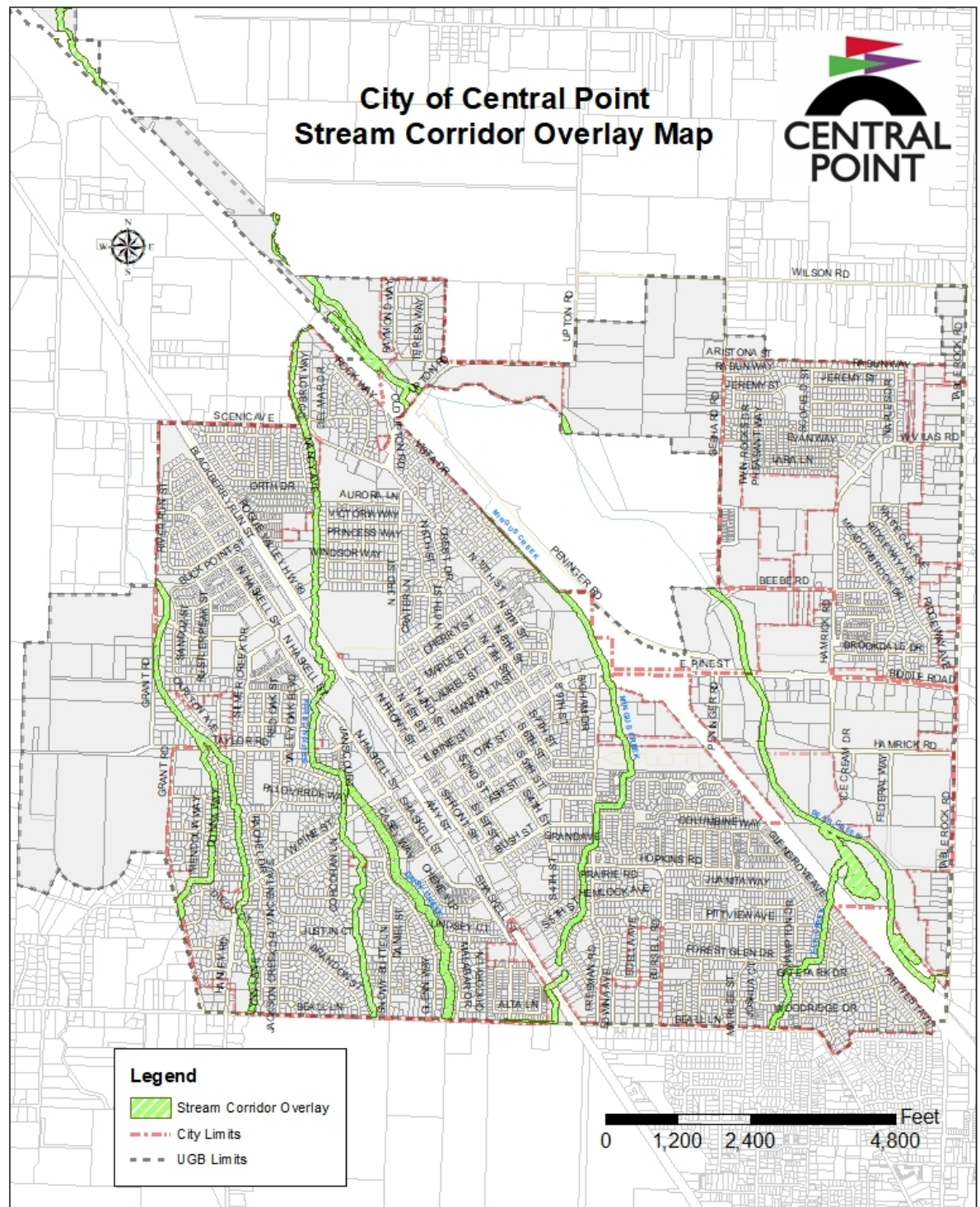


FIGURE 3: WETLAND OVERLAY MAP

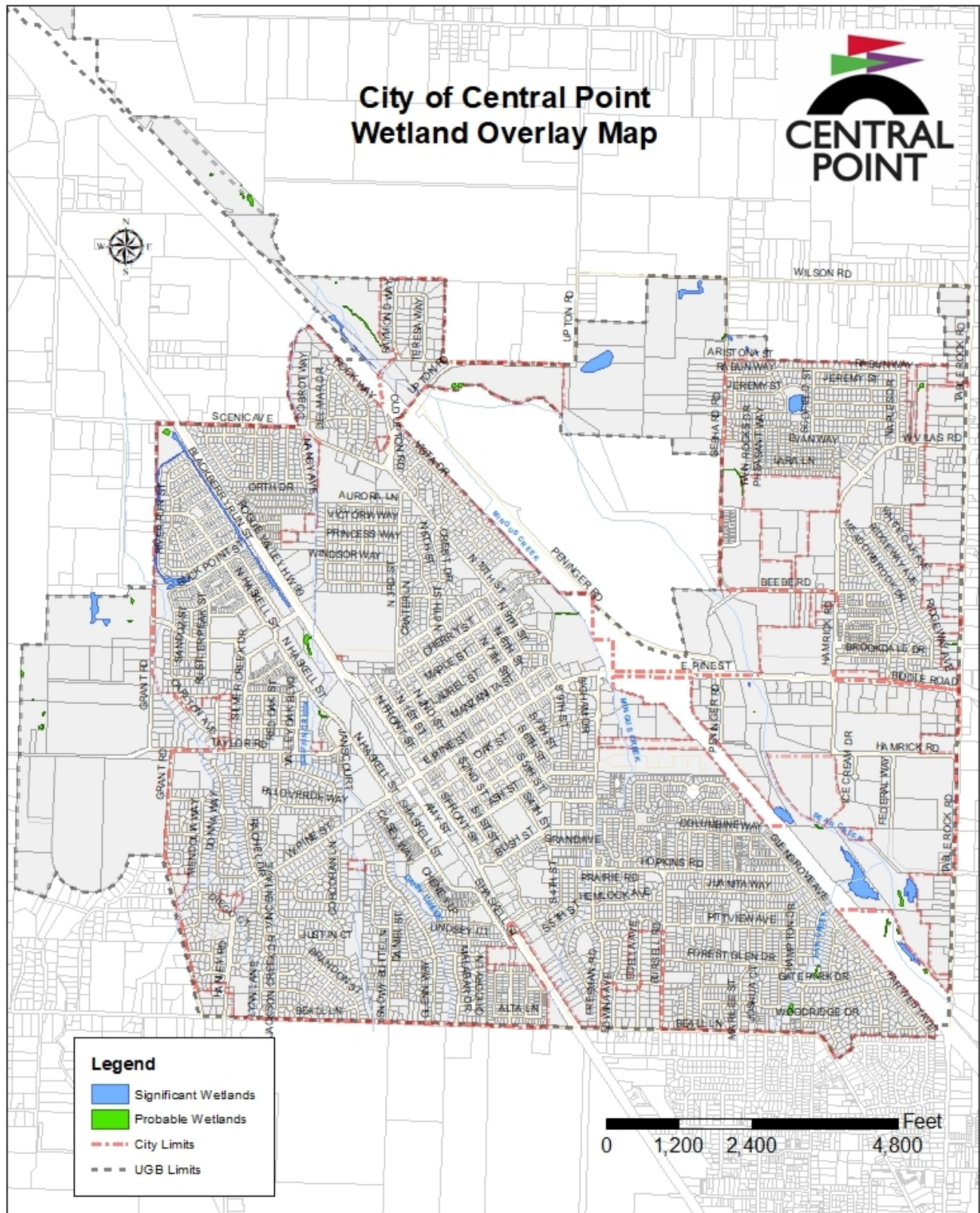


FIGURE 4: WILDFIRE HAZARD MAP

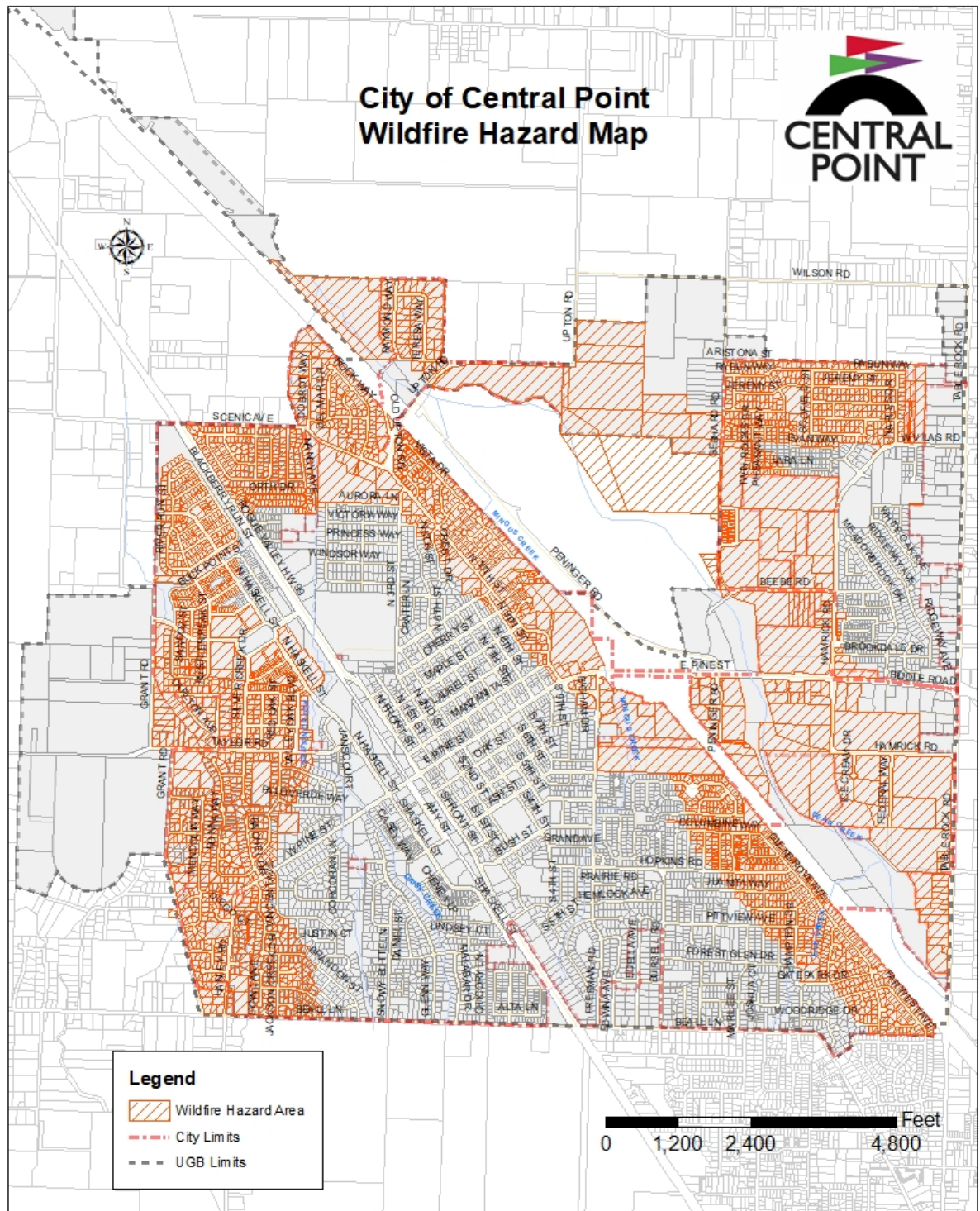
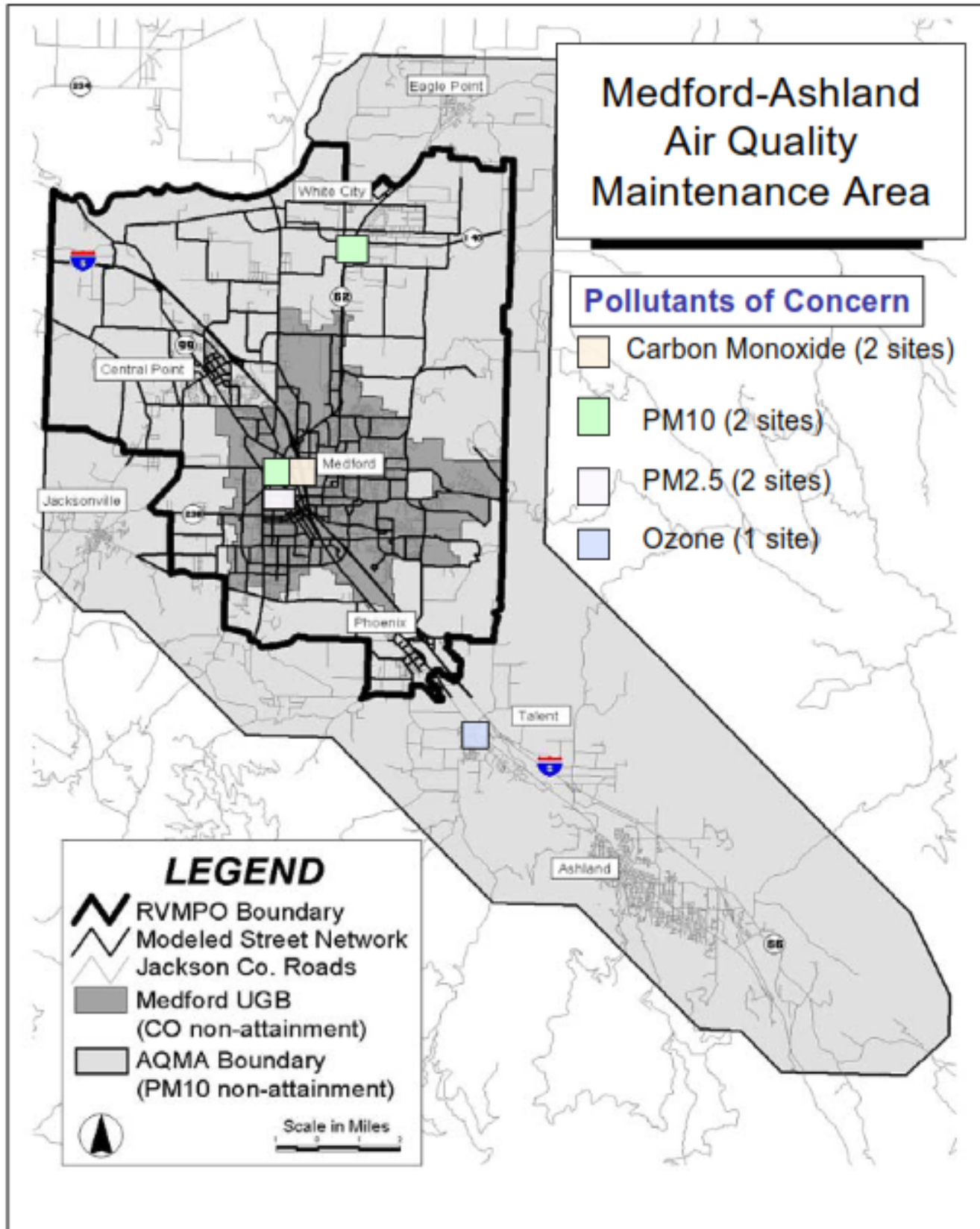


FIGURE 5: AIR QUALITY MAINTENANCE AREA MAP



## Appendix B. Resources & References

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### *Historic Sites Inventory*

Reviews and updates the City's historic resources, reflecting changes that have occurred over time.

### *Local Wetland Inventory*

Provides the location, quantity and quality of wetlands within the City. Determines the significance of wetlands that are present. The wetland boundaries identified in this inventory are incorporated into and implemented through the Wetland Overlay Map (Figure 3), adopted as a component sheet of the Official Zoning Map Series.

### *Natural Hazard Mitigation Plan*

Provides a risk assessment and mitigation strategy to reduce the risk to Central Point from natural hazards.

### *Riparian Area Inventory*

Details the areas along significant streams that contribute to the overall health and vibrancy of the waterway. The riparian boundaries identified in this inventory are incorporated into and implemented through the Stream Corridor Overlay Map (Figure 2), adopted as a component sheet of the Official Zoning Map Series.

### *Stormwater Master Plan*

Describes the best management practices the City will implement in order to reduce the discharge of pollutants into to waters of the state.

### *TMDL Implementation Plan*

Identifies the water quality improvements needed within the City to be compliant with the total maximum daily load in City waterways.



**DEPARTMENT:** Planning

**MEETING DATE:** March 26, 2026

**STAFF CONTACT:** Justin Gindlesperger, Community Planner III

**SUBJECT:** Ordinance Amending the Central Point Municipal Code to Establish Environmental Overlay Chapter

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**SUMMARY AND BACKGROUND:**

On February 12, 2026, the City of Central Point City Council adopted Resolution No. 1861, initiating amendments to the Central Point Municipal Code (CPMC) to establish protection measures and development standards for natural resources and environmentally sensitive areas. The Planning Commission reviewed the proposed amendments and forwarded a favorable recommendation of approval to the City Council without changes.

The proposed amendments to the CPMC are complementary to recent updates to the Environmental Management Element and the Environmental Overlay in the Land Use Element of the Comprehensive Plan. These code amendments implement policy changes by establishing regulatory standards to protect natural resources and environmentally sensitive areas identified in the adopted resource inventories. The amendments are consistent with Oregon state requirements for resource protection.

The proposed amendments include the following updates:

- Create a new Environmental Overlay Chapter in the CPMC;
- Establish standards for the lot creation within resource areas;
- Repeal outdated stream setbacks that are no longer consistent with updated inventory mapping;
- Establish a process for correcting map errors within designated resource areas; and
- Ensure consistency within the CPMC, including reference to revised stream setback standards.

Adoption of these updates will provide a clear and consistent regulatory framework to protect identified natural resources and environmentally sensitive areas, while implementing the goals and policies of the Comprehensive Plan.

Staff will present the proposed amendments and a recommendation for approval at the March 26, 2026 meeting of the City Council of Central Point.

**PREVIOUSLY DISCUSSED/DECIDED:**

**FINANCIAL ANALYSIS:**

The proposed zoning code text amendments do not generate additional cost to the City beyond in-kind staff expense.

**LEGAL ANALYSIS:**

Amendments to the Central Point Municipal Code that have widespread impact throughout the city are considered Major Amendments pursuant to CPMC 17.10.300(A) and are subject to legislative (Type IV) procedures in CPMC 17.05.500, which require two (2) public hearings and a decision by the City Council. In rendering its decision City Council may approve or deny the amendments based on written findings and conclusions that find the proposed changes meet the following criteria:

- Are consistent with applicable statewide planning goals;
- Are consistent with the Central Point Comprehensive Plan; and
- Comply with OAR 660-012-0060 of the State Transportation Planning Rule.

As demonstrated in the Findings of Fact and Conclusions of Law, the proposed amendments to the Central Point Municipal Code are consistent with applicable Statewide Planning Goals, the State Transportation Planning Rule and existing policies in the Comprehensive Plan.

**COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:**

Community Investment, Goal 4 – Manage growth to provide places that are timeless and loved by the community.

Natural and environmental resources can provide valuable scenic and recreational opportunities for citizens, as well as beneficial ecological functions. As Central Point grows, forethought into resource protection and management can help the City assure that streams and wetlands contribute to creating a sense of place that is enjoyed by citizens and visitors now and in the future.

Responsible Governance, Goal 6 – Prepare as a resilient city with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from threats and hazards that pose the greatest risk.

Wetlands and floodplains have documented benefits to flood risk mitigation as well as water quality, fish, and wildlife. The Environmental Element will establish the City's policy framework for holistic management of resources that is vital to balancing environmental preservation with risk management while complying with state planning requirements.

**ATTACHMENTS/EXHIBITS:**

1. Ordinance Amending Central Point Municipal Code
2. Findings of Fact & Conclusions of Law
3. Planning Commission Resolution 941

**STAFF RECOMMENDATION:**

Staff recommends the City Council conduct a public hearing to consider the first reading of an Ordinance approving amendments to Title 8 (Health and Safety), Title 16 (Subdivisions) and Title 17 (Zoning) of the Central Point Municipal Code and forward the ordinance to a second reading with or without revisions.

**RECOMMENDED MOTION:**

I move to forward Ordinance No. \_\_\_\_ an ordinance amending Central Point Municipal Code Chapter 17.66 to establish Environmental Overlay Standards, Chapter 16.10 to limit new lots in riparian corridors and wetlands, Chapter 17.60 to repeal stream setback requirements, Chapter 17.05 to establish a process to correct Overlay Map errors and various sections of Chapter 8.24 to reference the updated Stream Corridor Overlay.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CENTRAL POINT MUNICIPAL CODE CHAPTER 17.66 TO ESTABLISH ENVIRONMENTAL OVERLAY STANDARDS, CHAPTER 16.10 TO LIMIT NEW LOTS IN RIPARIAN CORRIDORS AND WETLANDS, CHAPTER 17.60 TO REPEAL STREAM SETBACK REQUIREMENTS, CHAPTER 17.05 TO ESTABLISH PROCESS TO CORRECT OVERLAY MAP ERRORS AND VARIOUS SECTIONS OF CHAPTER 8.24 TO REFERENCE THE UPDATED STREAM CORRIDOR OVERLAY**

**File No. ZC-26002**

**Recitals:**

- A.** Pursuant to CPMC 1.01.040, the City Council, may from time to time revise its municipal code which shall become part of the overall document and citation.
- B.** For consistency with existing policy in the Comprehensive Plan, a new Environmental Overlay chapter (CPMC 17.66) establishes regulations for Flood Overlay, Stream Corridor Overlay, and Wetland Overlay areas with resource protection measures and development standards in environmentally sensitive areas.
- C.** For consistency with existing policy in the Comprehensive Plan and provision of the land use process, Chapter 16.10 establishes limits on new lots in the Stream Corridor and Wetland Overlays.
- D.** For consistency with the land use process for setbacks along streams within Central Point, the Ordinance repeals special stream setback requirements from Chapter 17.60.090 and references Stream Corridor Overlay boundaries in Chapter 8.24.
- E.** In accordance with CPMC 17.05.500, the City of Central Point Citizen's Advisory Committee considered and approved Resolution 2026-1 forwarding a favorable recommendation to approve the proposed amendments at their meeting on February 17, 2026.
- F.** In accordance with CPMC 17.05.500 the following duly noticed public hearings were conducted:
  - 1. March 3, 2026 Planning Commission meeting, at which the Planning Commission considered and approved Resolution No. 941 forwarding a favorable recommendation to the City Council to approve the proposed amendments; and,
  - 2. March 26, 2026 City Council meeting at which time the City Council considered the first reading of the ordinance amending Chapter 17.66 to establish environmental overlay standards, Chapter 16.10 to limit

new lots in riparian corridors and wetlands, Chapter 17.60 to repeal special stream setback standards and various sections of 8.24 to reference boundaries and applicability of updated stream corridor overlay.

H. Words ~~lined through~~ are to be deleted and words **in bold** are added.

## **THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

Section 1. Title 17 of the Central Point Municipal Code is hereby amended to add a new Chapter 17.66, Environmental Overlay, as set forth below:

### **17.66.010 Purpose**

The purpose of this chapter is to implement the Environmental Overlay established in the Land Use Element of the Comprehensive Plan, including identification and protection of environmentally sensitive lands and natural hazard areas, including floodplains, wetlands, and riparian corridors. Resource protection requirements are designed to comply with applicable state and federal requirements and to provide community benefits such as flood risk reduction, wildlife habitat, water quality improvement, and recreation opportunities for Central Point residents and visitors.

### **17.66.020 Relationship to Comprehensive Plan**

This chapter implements and coordinates with multiple elements of the Comprehensive Plan as follows:

- A. Land Use Element. This chapter implements the Environmental Overlay framework established in the Land Use Element, Section 9.3.
- B. Environmental Management Element. This chapter supports the goals and policies of the Environmental Management Element.
- C. Other Elements. This chapter is coordinated with the Parks and Recreation Element, Public Facilities and Services Element, and Transportation System Plan.

### **17.66.030 Official Maps**

A. Land Use Overlay Map. The official Land Use Overlay Map adopted as Figure 10.1 of the Land Use Element identifies the geographic extent of each Environmental Overlay area. The Land Use Overlay Map is based on environmental resources identified and mapped in the following technical elements and source documents:

1. Flood Overlay: Based on Special Flood Hazard Areas identified in the Environmental Element, Natural Hazard Mitigation Plan, and Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps;

2. **Stream Corridor Overlay:** Based on riparian corridors identified in the Environmental Element;
3. **Wetland Overlay:** Based on locally significant wetlands identified in the Environmental Element and the Local Wetlands Inventory approved by Oregon Division of State Lands (to be added to the Land Use Overlay Map when officially adopted);

**B. Relationship Between Elements.** The Environmental Element and other technical elements of the Comprehensive Plan identify environmental resources and establish protection policies. The Land Use Element translates these resources into overlay districts shown on the Land Use Overlay Map. This chapter implements the overlay districts through development regulations.

## **17.66.040 Definitions**

For the purpose of this chapter, the following definitions apply.

### **A. General Terms**

1. **Environmental Overlay.** Means collectively the Flood Overlay, Stream Corridor Overlay, and Wetland Overlay as shown on the Land Use Overlay Map.
2. **Mitigation.** Means actions taken to avoid, minimize, or compensate for adverse impacts to environmental resources.

### **B. Flood Overlay Terms**

For definitions applicable to the Flood Overlay, refer to Chapter 8.24.

### **C. Stream Corridor Overlay Terms**

1. **Fish-Bearing Stream.** Means a stream inhabited at any time of the year by anadromous or game fish species or fish that are listed as threatened or endangered species under the federal or state Endangered Species Act.
2. **Riparian Area.** Means the area adjacent to a water resource, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem, which affects or is directly affected by the water resource.
3. **Riparian Buffer.** Means a protected area adjacent to and measured from the top of bank that preserves and protects the riparian area and its environmental functions.
4. **Riparian Corridor.** Means a Goal 5 resource that includes the water areas, fish habitat, adjacent riparian areas, and wetlands within the stream corridor overlay boundary.

**5. Riparian Vegetation.** Means native ground cover, shrubs, trees, and other vegetation predominantly influenced by their association with water.

**6. Top of Bank.** Means the stage or elevation at which water overflows the natural banks of streams or other waters of the state and begins to inundate upland areas. In the absence of physical evidence, or where the top of bank is not clearly defined, the two-year recurrence interval flood elevation or the line of non-aquatic vegetation (whichever is most landward) may be used to approximate the top of bank.

#### **D. Wetland Overlay Terms**

**1. Jurisdictional Determination.** Means a regulatory decision of wetland boundaries that is approved by Oregon Department of State Lands (DSL). A determination is a precise map and documentation of actual wetland boundaries on a parcel.

**2. Local Wetlands Inventory (LWI).** Means maps and reports adopted by the City of Central Point entitled “Central Point Local Wetlands Inventory” and any subsequent revisions approved by Oregon Division of State Lands. The LWI is a comprehensive survey of all wetlands over one-half (0.5) acre in size within the urbanizing area.

**3. Locally Significant Wetland.** Means a wetland determined to be significant under the criteria of OAR 141-086-0300 et seq. These criteria include those wetlands that score a high rating for fish or wildlife habitat, hydrologic control, or water quality improvement functions.

**4. Oregon Freshwater Wetland Assessment Methodology (OFWAM).** Means a wetland function and quality assessment methodology developed by the Oregon Division of State Lands.

**5. Other Possible Wetland.** Means an area noted during the course of developing the Local Wetlands Inventory that appears to meet wetland criteria but is too small (less than 0.5 acre) to require inclusion in the LWI.

**6. Significant Wetland.** Means wetlands identified on the City of Central Point Local Wetlands Inventory and determined to be “significant wetlands” using criteria adopted by Oregon Division of State Lands (DSL).

**7. Wetland.** Means an area inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

**8. Wetland Delineation.** Means a determination of wetland presence that includes marking the wetland boundaries on the ground and/or on a detailed map prepared by professional land survey or similar accurate methods.

**9. Wetland Protection Area.** Means an area subject to the provisions of this chapter that includes all wetlands determined to be locally significant.

## **17.66.050 General Standards**

The following standards apply to all Environmental Overlay areas unless specifically stated otherwise in Sections 17.66.100, 17.66.200, or 17.66.300.

### **A. State and Federal Permits Required**

Nothing in this chapter exempts any person from obtaining required state or federal permits, approvals, or authorizations. Applicable permits include but are not limited to those from:

1. Oregon Division of State Lands (wetlands and waterways);
2. U.S. Army Corps of Engineers (Clean Water Act Section 404);
3. Oregon Department of Fish and Wildlife (habitat mitigation pursuant to OAR 635-415);
4. Oregon Department of Environmental Quality (water quality);
5. Federal Emergency Management Agency (floodplains).

### **B. Relationship to Other Regulations**

Properties within Environmental Overlay areas remain subject to all requirements of:

1. The underlying base zoning district;
2. Any other applicable overlay zones;
3. All applicable provisions of the Central Point Municipal Code;
4. State regulations; and
5. Federal regulations.

Where standards conflict, the most restrictive standard shall govern.

### **C. Nonconforming Situations**

#### **1. Applicability**

This subsection applies to nonconforming structures within the Stream Corridor Overlay (Section 17.66.200) and Wetland Overlay (Section 17.66.300) only. Nonconforming structures within the Flood Overlay (Section 17.66.100) are subject to Chapter 8.24.

## **2. General Provisions**

**Pre-existing uses, signs, and structures legally established within the Stream Corridor Overlay or Wetland Overlay prior to adoption of this chapter that does not conform to current standards shall be considered nonconforming and may be replaced or expanded subject to section 17.66.050(c) and Section 17.56 (Nonconforming Uses and Structures). Where there is a conflict between the provisions of this chapter and the requirements in Section 17.56, the provisions of this chapter shall govern.**

## **3. Replacement Within Same Footprint**

**Replacement of a nonconforming structure within or partially within the Stream Corridor Overlay or Wetland Overlay is permitted if:**

- a. The replacement structure is within the same building footprint; and**
- b. No additional surface area within the Stream Corridor Overlay or Wetland Overlay is disturbed.**

## **4. Expansion Outside Overlay Area**

**Expansion of the footprint of a nonconforming structure is permitted if:**

- a. The expansion occurs entirely outside the Stream Corridor Overlay or Wetland Overlay area; and**
- b. No additional surface area within the Stream Corridor Overlay or Wetland Overlay is disturbed by the expansion.**

## **5. Replacement After Damage or Destruction**

**A nonconforming structure within the Stream Corridor Overlay or Wetland Overlay that is damaged or destroyed by fire, flood, wind, or other casualty may be rebuilt to the same size and in the same location, provided:**

- a. Reconstruction commences within two (2) years of the date of damage or destruction; and**
- b. The replacement complies with all applicable provisions of Chapter 8.24 if located within the Flood Overlay.**

## **D. Conservation of Overlay Areas on Pre-Existing Lots**

- 1. Purpose. This section ensures long-term conservation and maintenance of Stream Corridor and Wetland Overlay areas on lots legally created prior to adoption of this chapter that are not subject to the lot layout requirements of CPMC 16.10. Wetland and riparian corridor disturbance is costly to mitigate and rarely restores ecological functions to pre-disturbance levels. Avoidance of impacts is therefore strongly preferred and required to the**

maximum extent practicable before mitigation under Section 17.66.370 is considered.

2. **Applicability.** This section applies to development proposed on lots legally created prior to adoption of this chapter where any portion of the lot is within the Stream Corridor Overlay or Wetland Overlay. This section does not apply to the Flood Overlay, which is governed by Chapter 8.24.
3. **Avoidance Required.** Prior to approval of any development application subject to this section, the applicant shall demonstrate that the proposed development has been designed to avoid impacts to overlay areas to the maximum extent practicable. The approving authority shall not approve a development application that impacts overlay areas where a practicable alternative design exists that would avoid or substantially reduce those impacts.
4. **Criteria for Avoidance Finding.** In determining whether a practicable alternative design exists, the approving authority shall consider the following:
  - a. Whether the proposed use or structure can be relocated to avoid or reduce impacts to the overlay area while remaining on the subject property;
  - b. Whether the scale, footprint, or configuration of the proposed development can be reduced to avoid or minimize overlay impacts;
  - c. Whether the proposed use requires a location within the overlay area due to functional dependence on the stream corridor or wetland resource;
  - d. Whether avoidance would render the property unbuildable or deprive the applicant of all reasonable use of the property; and
  - e. Recommendations of applicable state and federal agencies, including Oregon Department of Fish and Wildlife and Oregon Division of State Lands, and the recommendations of qualified professionals, such as a wetland biologist, hydrologist, or other technical expert.
5. **Long-Term Conservation.** When approving Conditional Use Permits, Master Plans, Site Plan approvals, or any other development permit on lots containing Stream Corridor Overlay or Wetland Overlay areas, the approving authority shall require long-term conservation and maintenance of those areas through one of the following mechanisms, listed in order of

preference:

- a. **Conservation Easement.** The overlay area shall be protected in perpetuity by a conservation easement held by a qualified land trust or other conservation organization, recorded on deeds and plats, and prescribing the conditions and restrictions set forth in this chapter and any conditions imposed by applicable state or federal permits.
  - b. The overlay area shall be transferred by deed to a willing public agency or qualified conservation organization with a recorded conservation easement prescribing the conditions and restrictions set forth in this chapter and any conditions imposed by applicable state or federal permits.
  - c. Where options (a) and (b) are demonstrated to be infeasible, the overlay area shall be protected through another mechanism acceptable to the approving authority that ensures long-term protection and maintenance in perpetuity consistent with the standards of this chapter.
6. **Relationship to Mitigation.** Conservation of overlay areas under this section is not a substitute for mitigation where impacts to overlay areas are proposed and approved. Where impacts cannot be avoided, the applicant shall comply with both this section and the mitigation requirements of Section 17.66.370. Conservation mechanisms required under this section shall be recorded prior to issuance of building or other development permits that initiate construction.

## **17.66.060 Additional Application Requirements**

Applications for development within Environmental Overlay areas shall comply with the application procedures of Chapter 17.05 and shall include a site plan containing the information required by Section 17.72.030. In addition, the following overlay-specific information is required:

### **A. Stream Corridor Overlay**

1. **Survey or site plan.** All applications must include a survey or site plan prepared by a qualified professional showing:
  - a. Location of top of bank;
  - b. 50-foot riparian buffer boundary on both sides;
  - c. Existing vegetation within buffer.

2. **Conditional Use.** Pursuant to Section 17.66.240 and Chapter 17.76, applications for conditional use must include:
  - a. Mitigation plan demonstrating how impacts will be avoided, minimized, or compensated;
  - b. Alternatives analysis if required;
  - c. Documentation that state and federal permits have been obtained or applied for.
3. **Map Errors or corrections.** Applications to correct overlay maps must include:
  - a. Survey or site plan, in accordance with 1 above.
  - b. Alternative analysis that depicts the revised stream corridor overlay.
  - c. Documentation demonstrating coordination with Oregon Department of Fish and Wildlife consistent with subsection (C).

#### **B. Wetland Overlay**

1. **A wetland delineation and jurisdictional determination approved by Oregon Department of State Lands (DSL) if:**
  - a. Development is proposed within mapped wetland area;
  - b. Development is proposed within 25 feet of mapped wetland;
  - c. An application to correct a mapping error is submitted; or
  - d. Evidence of wetlands or waters of the state is present on or within 50 feet of the subject property.
2. **Map errors or corrections.** Applications to correct wetland overlays must include:
  - a. Wetland delineation and jurisdictional determination approved by DSL, in accordance with subsection 1;
  - b. Alternative analysis that depicts the revised wetland overlay.

#### **C. State Agency Coordination**

The Planning Director shall coordinate with appropriate state agencies and may incorporate, or require compliance with, their comments and recommendations. Applications within Environmental Overlay areas shall be referred to:

1. **Oregon Department of State Lands** for applications that may affect wetlands or waters of the state, including but not limited to those identified in the Local Wetlands Inventory;
2. **Oregon Department of Fish and Wildlife** for review and habitat mitigation recommendations consistent with OAR 635-415, for applications that may affect the Stream Corridor Overlay, as defined and determined in 17.66.220.

## **FLOOD OVERLAY**

### **17.66.100 Flood Overlay**

This section establishes the Flood Overlay to implement flood hazard management provisions of the Environmental Overlay.

#### **17.66.110 Purpose**

The Flood Overlay implements the flood hazard provisions of the Environmental Overlay (Land Use Element, Section 9.3) to reduce risks to public health, safety, and property from flooding.

#### **17.66.120 Standards and Boundaries**

All flood hazard areas, development standards, permit requirements, and regulatory boundaries for the Flood Overlay are established in Chapter 8.24 (Flood Damage Prevention). The Flood Overlay shown on the Land Use Overlay Map corresponds to the Special Flood Hazard Areas regulated under Chapter 8.24.

## **STREAM CORRIDOR OVERLAY**

### **17.66.200 Stream Corridor Overlay**

This section establishes the Stream Corridor Overlay to protect and restore riparian corridors and their ecological functions.

#### **17.66.210 Purpose**

The Stream Corridor Overlay implements the riparian corridor protection provisions of the Environmental Overlay (Land Use Element, Section 9.3) and the Environmental Element. This section is based on the “safe harbor” approach as defined in Oregon Administrative Rules 660-023-0090(5). Specifically, this section is intended to:

- A. Implement the goals and policies of the Central Point Comprehensive Plan;**
- B. Satisfy the requirements of Statewide Planning Goal 5 and Goal 6;**
- C. Protect Central Point’s riparian corridors, thereby protecting the hydrologic and ecologic functions these areas provide for the community;**
- D. Protect habitat for fish, other aquatic life, and wildlife;**

- E. Protect water quality and natural hydrology, to control erosion, limit sedimentation, and reduce the effects of flooding;**
- F. Provide a stream “right of way” to accommodate lateral migration of the channel and protect the stream and adjacent properties;**
- G. Protect the amenity values and educational opportunities of Central Point’s riparian areas as community assets; and**
- H. Enhance coordination among local, state, and federal agencies regarding development activities near riparian areas.**

### **17.66.220 Applicability and Boundaries**

**A. Applicability.** These provisions apply to riparian corridors as identified and mapped in the Environmental Element (Figure 2, Stream Corridor Overlay Map) and designated as “Stream Corridor Overlay” on the Land Use Overlay Map (Figure 10.1 of the Land Use Element).

**B. State and Federal Jurisdiction.** State and federal riparian regulations continue to apply within the Stream Corridor Overlay regardless of whether specifically mapped. Nothing in this section supersedes or nullifies state or federal requirements.

**C. Overlay Components.** The Stream Corridor Overlay consists of two components:

- 1. Stream Channel:** The area between the top of bank on each side of the waterway; and
- 2. Riparian Buffer:** A protected area extending 50 feet horizontally from the top of bank on both sides of the stream channel.

**D. Buffer Measurement.**

- 1. The riparian buffer shall be measured horizontally from the top of bank as defined in Section 17.66.040.**
- 2. Where the top of bank cannot be clearly identified in the field, the two-year recurrence interval flood elevation or the line of non-aquatic vegetation (whichever is most landward) shall be used to approximate the top of bank.**

**E. Stream Classifications.** This overlay applies to waterways classified as:

- 1. Locally Significant Streams:** Waterways determined to have significant riparian areas in accordance with Oregon Administrative Rules (OAR) 660-023-0090, classified as fish-bearing streams.
- 2. Local Streams:** Non-fish-bearing streams with flows below 500 cubic feet per second (cfs) determined to have riparian areas necessary to maintain and improve water quality.

**F. Mapping Error and Corrections.** The Planning Director may correct the location of the riparian buffer, providing written record of the decision, for applications consistent with the requirements in 17.66.060(A)(3). and demonstrating the following:

1. There was an error in the original mapping; or
2. The boundaries of the resource have changed since the most recent update to the map.

### **17.66.230 Permitted Uses and Activities**

The following activities are allowed within the Stream Corridor Overlay without additional City review beyond any review otherwise required by the base zone, provided applicable state and federal permits are obtained:

#### **A. Riparian Buffer Enhancement**

Riparian restoration and rehabilitation activities that improve ecological conditions within the stream corridor, including but not limited to habitat improvements (e.g. placement of woody debris and other habitat structures), native vegetation planting, bank stabilization and other modifications to increase riparian functions.

- i. Such activities may include minor earthwork for the excavation or placement of up to five (5) cubic yards of soil and disturb an area of no more than 1,000 square feet; and
- ii. Projects exceeding these thresholds shall comply with Section 17.66.260.D

#### **B. Hazard Tree Removal**

Cutting and removal of trees which pose a hazard to life or property due to threat of falling.

#### **C. Vegetation Management**

Removal of nonnative vegetation, provided it is replaced with native plant species at similar coverage density such that native species become dominant.

#### **D. Agricultural Operations**

Normal farm practices, other than structures, roads, or other facilities that involve placement of fill material, excavation, or drainage measures, that were in place at adoption of this chapter on Exclusive Farm Use lands.

#### **E. Maintenance Activities**

Routine maintenance of existing drainage facilities, utilities, and irrigation pumps that do not disturb additional riparian surface area beyond the existing footprint.

## **F. Pre-Existing Development**

Any use, sign, or structure, and the maintenance thereof, lawfully existing on the date of adoption of this chapter, is permitted within the Stream Corridor Overlay. Such use, sign, or structure may continue at a similar level and manner as existed on the date of adoption. The maintenance and alteration of pre-existing ornamental landscaping is permitted as long as no additional riparian vegetation is disturbed. The provisions of this section shall not be affected by any change in ownership of properties containing a stream corridor.

## **G. Emergency Repairs**

Emergency repairs authorized by the City, subject to the standards in Section 17.66.260.A.

## **H. Street and Driveway Maintenance**

Maintenance, paving, and reconstruction of existing public and private streets, driveways, and pathways, subject to the standards in Section 17.66.260.B.

## **I. Fences**

Fences on existing lots, subject to the standards in Section 17.66.260.C.

## **J. Stream Restoration and Enhancement**

Stream restoration, rehabilitation and mitigation projects that improve specific stream functions or replace lost ecological functions, subject to the standards in Section 17.66.260.D.

## **17.66.240 Conditional Uses**

### **A. Applicability**

The following uses may be permitted within the Stream Corridor Overlay subject to approval of a Conditional Use Permit pursuant to Chapter 17.76, provided they are:

1. Compatible with the purpose and intent of Section 17.66.210;
2. Designed to minimize disturbance within the stream corridor; and
3. Supported by applicable state and federal permits.

### **B. Conditional Uses**

The following uses may be allowed as conditional uses:

1. Water-related or water-dependent uses, such as drainage facilities and irrigation pumps;
2. Utilities or other public improvements;

3. Streets, roads, or bridges where necessary for access or crossings;
4. Shared-use paths, accessways, trails, picnic areas, interpretive and educational displays and overlooks, including benches and outdoor furniture.

### **17.66.250 Prohibited Activities**

The following activities are prohibited within the Stream Corridor Overlay unless specifically authorized as a permitted use in Section 17.66.230, a conditional use in Section 17.66.240, or through the development standards in Section 17.66.260:

- A. Placement of new structures or impervious surfaces;
- B. Excavation, drainage, grading, or fill (except as authorized for stream restoration in Section 17.66.260.D);
- C. Removal of native vegetation (except for fire protection, hazard tree removal, or invasive species removal as authorized in Section 17.66.230);
- D. Expansion of areas of landscaping with nonnative species, such as lawn or garden, into the stream corridor;
- E. Disposal or temporary storage of refuse, yard debris, or other material;
- F. Uses not allowed in the underlying base zone.

### **17.66.260 Development Standards**

The following development standards apply to activities within the Stream Corridor Overlay:

#### **A. Emergency Repairs**

Emergency repairs authorized by the City may be undertaken without full compliance with this chapter when it is necessary to:

1. Prevent an imminent threat to public health or safety; or
2. Prevent imminent danger to public or private property; or
3. Prevent an imminent threat of serious environmental degradation.

Emergency authorization does not waive the requirement to obtain applicable state and federal permits. Full compliance with this chapter is required for permanent repairs following resolution of the emergency.

#### **B. Street and Driveway Standards**

Maintenance, paving, and reconstruction of existing public and private streets, driveways, and pathways is permitted within the Stream Corridor Overlay if:

1. Work disturbs no more total surface area than the area inside the street right-of-way or access easement; plus
2. Up to an additional five percent (5%) of the surface area of the street right-of-way or access easement outside of the right-of-way or easement; and
3. Public streets are located within public right-of-way or public easement.

#### **C. Fence Standards**

1. **Fencing on New Lots.** Fencing is prohibited within the Stream Corridor Overlay on lots created after adoption of this chapter, except:
  - a. Temporary construction fencing during approved development or restoration activities;
  - b. Wildlife-compatible fencing approved as part of an approved habitat restoration or mitigation plan; or
  - c. Fencing required by state or federal safety regulations (e.g. pool barrier requirements where pools are otherwise legally permitted).
2. **Fencing on Existing Lots.** New fencing may be allowed within the Stream Corridor Overlay where the applicant demonstrates all of the following criteria are met:
  - a. The fencing does not affect the hydrology of the site;
  - b. The fencing does not present an obstruction that would increase flood velocity or intensity;
  - c. Fish habitat is not adversely affected by the fencing;
  - d. The fencing is the minimum necessary to achieve the applicant's purpose and
  - e. The fence design is wildlife-compatible (e.g. provides adequate spacing for wildlife passage) where feasible.
3. **Application Requirements.** Applications for new fencing within the Stream Corridor Overlay shall include the information required in Section 17.66.060(A).

#### **D. Stream Restoration and Enhancement**

Stream restoration and enhancement projects exceeding the disturbance thresholds in Section 17.66.230.A for minor restoration projects are permitted when all of the following standards are met:

1. The restoration and enhancement results in a net gain in stream corridor functions;

2. Restoration and enhancement that involves in-stream work must demonstrate compliance with provisions of Chapter 8.24 (Flood Damage Prevention), including but not limited to Sections 8.24.160, 8.24.170, and 8.24.200;
3. All required state and federal permits have been obtained.

## **WETLAND OVERLAY**

### **17.66.300 Wetland Overlay**

This section establishes the Wetland Overlay to protect and restore locally significant wetlands and their ecological functions.

#### **17.66.310 Purpose**

The Wetland Overlay implements the wetland protection provisions of the Environmental Overlay (Land Use Element, Section 9.3) and the Environmental Element. This section is based on the “safe harbor” approach as defined in Oregon Administrative Rules 660-023-0090(8). Specifically, this section is intended to:

- A. Protect locally significant wetlands and their ecological functions;
- B. Satisfy the requirements of Statewide Planning Goal 5;
- C. Protect wetland habitat for fish, wildlife, and plant species;
- D. Preserve wetland hydrologic functions including flood storage, groundwater recharge, and water quality improvement;
- E. Coordinate with Oregon Division of State Lands and federal wetland protection programs; and
- F. Preserve wetlands as community amenities providing educational and passive recreation opportunities.

#### **17.66.320 Applicability and Boundaries**

##### **A. Temporary Application (Until Official Mapping)**

Until wetland areas are officially mapped and added to the Land Use Overlay Map, this section applies to:

1. All wetlands shown on the City’s Local Wetlands Inventory (LWI) as approved by Oregon Division of State Lands;
2. All areas identified as “Other Possible Wetlands” in the LWI; and

3. Any wetland identified through a jurisdictional delineation approved by Oregon Division of State Lands.

#### **B. Following Official Mapping**

Once wetland boundaries are officially mapped and adopted as part of the Land Use Overlay Map (Figure 10.1 of the Land Use Element), this section shall apply to all areas designated as “Wetland Overlay.”

#### **C. State and Federal Jurisdiction**

State and federal wetland regulations continue to apply within the Wetland Overlay regardless of whether specifically mapped. Nothing in this section supersedes or nullifies state or federal requirements.

#### **D. Boundary Determination**

1. The precise boundary of a wetland shall be established through an on-site wetland delineation and survey prepared by a qualified professional using methods approved by Oregon Division of State Lands.
2. Wetland boundaries determined through an approved jurisdictional delineation shall take precedence over generalized boundaries shown on the Local Wetlands Inventory or Land Use Overlay Map.

#### **E. Wetland Significance Determination**

Wetlands subject to this overlay are those determined to be “locally significant” in accordance with criteria adopted by Oregon Division of State Lands (OAR 141-086-0300 et seq.).

#### **G. Mapping Error and Correction**

Applications to correct the wetland overlay must demonstrate a mapping error. The Planning Director may correct the location of the wetland protection area, providing written record of the decision, for applications consistent with the requirements of 17.66.060(B).

### **17.66.330 Permitted Uses and Activities**

The following activities are allowed within the Wetland Overlay without additional City review beyond any review otherwise required by the base zone, provided applicable state and federal permits are obtained:

#### **A. Resource Enhancement**

Wetland restoration and rehabilitation activities that improve ecological conditions within a wetland, including but not limited to habitat improvements, native vegetation planting, bank stabilization, and other modifications to increase wetland functions

#### **B. Vegetation Management**

1. Removal of nonnative or invasive vegetation, provided it is replaced with native wetland plant species appropriate to the site's hydrology;
2. Native plant species shall be installed at similar or greater coverage density such that natives become dominant.

#### **C. Hazard Tree Removal**

Cutting and removal of trees which pose a hazard to life or property due to threat of falling.

#### **D. Scientific and Educational Activities**

Non-invasive scientific research, environmental monitoring, and educational activities that do not disturb wetland soils or vegetation.

#### **E. Agricultural Operations**

Normal farm practices, other than structures, roads, or other facilities that involve placement of fill material, excavation, or drainage measures, that were in place at adoption of this chapter on Exclusive Farm Use lands.

#### **F. Maintenance Activities**

Routine maintenance of existing drainage facilities, utilities, and irrigation pumps that do not disturb additional wetland surface area beyond the existing footprint.

#### **G. Pre-Existing Development**

Any use, sign, or structure, and the maintenance thereof, lawfully existing on the date of adoption of this chapter, is permitted within the Wetland Overlay. Such use, sign, or structure may continue at a similar level and manner as existed on the date of adoption. The maintenance and alteration of pre-existing ornamental landscaping is permitted as long as no additional wetland area is disturbed. The provisions of this section shall not be affected by any change in ownership of properties containing a wetland.

#### **H. Emergency Activities**

Emergency repairs or activities authorized by the City, subject to the standards in Section 17.66.360.A.

#### **I. Street and Driveway Maintenance**

Maintenance, paving, and reconstruction of existing public and private streets, driveways, and pathways, subject to the standards in Section 17.66.360.B.

#### **J. Fences**

New fencing, subject to the standards in Section 17.66.350.C.

### **17.66.340 Prohibited Activities**

Except as expressly provided below, the following activities are prohibited within the Wetland Overlay unless specifically authorized as a permitted use in Section 17.66.330, or pursuant to an approved wetland delineation showing the activity would occur outside wetland boundaries:

- A. Placement of fill material;**
- B. Excavation, grading, or dredging;**
- C. Removal of native wetland vegetation (except invasive species removal with native replacement);**
- D. Construction of new structures or improvements;**
- E. Expansion of existing structures;**
- F. Installation of utilities (except as approved through conditional use permit);**
- G. Storage of materials, equipment, or vehicles;**
- H. Dumping or disposal of any materials;**
- I. Activities that alter wetland hydrology, including but not limited to:**
  - 1. Draining or dewatering;**
  - 2. Diversion of water sources;**
  - 3. Installation of drainage tiles or ditches;**
  - 4. Modification of surface or groundwater flow patterns;**
- J. Grading or land-disturbing activities; and**
- K. Application of pesticides, herbicides, or fertilizers (except as specifically approved for invasive species control with appropriate permits).**

### **17.66.350 Development Standards**

The following development standards apply to activities within the Wetland Overlay:

#### **A. Emergency Activities**

Emergency repairs or activities authorized by the City may be undertaken without full compliance with this chapter when it is necessary to:

- 1. Prevent an imminent threat to public health or safety; or**
- 2. Prevent imminent danger to public or private property; or**
- 3. Prevent an imminent threat of serious environmental degradation.**

Emergency authorization does not waive the requirement to obtain applicable state and federal permits. Full compliance with this chapter is required for permanent repairs or improvements following resolution of the emergency.

#### **B. Setbacks from Wetland Boundaries**

1. Where feasible, all structures, improvements, and land-disturbing activities should be set back from wetland boundaries to provide a transition area and additional protection for wetland functions.
2. Minimum setbacks may be established as conditions of approval for conditional use permits based on site-specific conditions and the sensitivity of wetland resources.

#### **C. Erosion and Sediment Control**

All activities adjacent to wetlands shall employ best management practices for erosion and sediment control to prevent degradation of wetland water quality, including:

1. Installation of erosion control measures prior to ground disturbance;
2. Stabilization of disturbed areas;
3. Protection of wetlands from construction equipment and staging areas; and
4. Regular inspection and maintenance of erosion control measures.

#### **D. Street and Driveway Standards**

Maintenance, paving, and reconstruction of existing public and private streets, driveways, and pathways is permitted within the Wetland Overlay if:

1. Work disturbs no more total surface area than the area inside the street right-of-way or access easement; and
2. Public streets are located within public right-of-way or public easement.

#### **E. Fence Standards**

1. Fencing on New Lots. Fencing is prohibited in the Wetland Overlay on lots created after adoption of this chapter, except:
  - a. Temporary construction fencing during approved development or restoration activities;
  - b. Wildlife-compatible fencing approved as part of an approved wetland restoration or mitigation plan; or
  - c. Fencing required by state or federal safety regulations (e.g. pool barrier requirements where pools are otherwise legally permitted).

2. **Fencing on Existing Lots.** New fencing may be allowed within the Wetland Overlay where the applicant demonstrates all of the following criteria are met:
  - a. The fencing does not affect the hydrology of the site;
  - b. The fencing does not present an obstruction that would increase flood velocity or intensity;
  - c. Fish habitat is not adversely affected by the fencing; and
  - d. The fencing is the minimum necessary to achieve the applicant's purpose.
3. **Application Requirements.** Applications for new fencing within the Wetland Overlay shall include a scaled drawing that clearly depicts the wetland overlay boundary.

### **17.66.360 Delineation Requirements**

#### **A. When Required**

A wetland delineation and jurisdictional determination approved by Oregon Division of State Lands is required for:

1. Any development application where wetlands may be present on the site or within 25 feet of proposed development;
2. Determination of wetland boundaries for purposes of applying the standards of this chapter.

#### **B. Delineation Standards**

Wetland delineations shall be:

1. Prepared by a qualified professional with demonstrated experience in wetland identification and delineation;
2. Conducted using methodology approved by Oregon Division of State Lands;
3. Submitted to Oregon Division of State Lands for review and approval;
4. Based on field investigations conducted during the appropriate season for wetland identification;
5. Accompanied by:
  - a. Data forms documenting wetland determinations;
  - b. Photographs of the site;
  - c. Maps showing wetland boundaries and data point locations;

**d. Description of wetland types and functions.**

**C. Delineation Validity**

- 1. Approved wetland delineations are valid for five (5) years from the date of Oregon Division of State Lands approval, unless site conditions change substantially.**
- 2. The Planning Director may require an updated delineation if:**
  - a. The approved delineation is more than five years old;**
  - b. Site conditions have changed significantly;**
  - c. New information indicates the approved delineation may be inaccurate.**

**17.66.370 Mitigation Requirements**

**A. Mitigation Hierarchy**

**Where impacts to wetlands are proposed and cannot be avoided, mitigation shall follow this sequence:**

- 1. First, avoid the impact altogether;**
- 2. Second, minimize impacts by limiting the degree or magnitude of the action;**
- 3. Third, rectify the impact by repairing, rehabilitating, or restoring the affected environment;**
- 4. Fourth, reduce or eliminate the impact over time through preservation and maintenance; and**
- 5. Finally, compensate for the impact by replacing or providing substitute wetland resources.**

**B. Compensatory Mitigation Standards**

**Where compensatory mitigation is required, it shall:**

- 1. Location:**
  - a. Occur on-site unless the applicant demonstrates on-site mitigation is not practicable;**
  - b. Off-site mitigation shall be located within the same watershed where feasible;**
  - c. Off-site mitigation shall be secured through conservation easement or other permanent protection mechanism.**
- 2. Type:**

- a. Be in-kind (replace wetland type impacted with same wetland type) unless the applicant demonstrates in-kind mitigation is not practicable;
- b. Out-of-kind mitigation may be approved if it provides greater overall wetland functions and values.

**3. Ratio:**

- a. Achieve no net loss of wetland area and functions;
- b. Minimum mitigation ratios:
  - i. Restoration of degraded wetlands: minimum 1.5:1 (area of mitigation to area of impact);
  - ii. Creation of new wetlands: minimum 2:1;
  - iii. Enhancement of existing wetlands: minimum 3:1.

**4. Timing:**

- a. Be completed prior to or concurrent with impacts unless phased implementation is specifically approved;
- b. Construction of mitigation wetlands shall precede or be concurrent with impacts to existing wetlands.

**5. Success Criteria:**

Include clear, measurable success criteria based on wetland type and functions being replaced.

**C. Mitigation Plan Requirements**

Wetland mitigation plans shall include:

**1. Baseline Assessment:**

- a. Approved jurisdictional delineation;
- b. Functional assessment of existing wetlands;
- c. Description of wetland types, vegetation, and wildlife use;

**2. Impact Analysis:**

- a. Quantification of wetland area and functions to be impacted;
- b. Analysis of direct and indirect impacts;

**3. Mitigation Design:**

- a. Location and boundaries of mitigation wetlands;
- b. Grading and hydrologic plans;
- c. Planting plan with native wetland species;

- d. Soils plan if amendments needed;
- 4. Success Criteria:
  - a. Measurable performance standards for hydrology, vegetation, and functions;
  - b. Target wetland type and quality to be achieved;
- 5. Monitoring Plan:
  - a. Monitoring methods, parameters, frequency, and duration (minimum 5 years for created/restored wetlands);
  - b. Annual reporting requirements;
- 6. Maintenance Plan:
  - a. Vegetation establishment and maintenance procedures;
  - b. Invasive species control;
  - c. Hydrology maintenance;
- 7. Adaptive Management:
  - a. Contingency measures if success criteria are not met;
  - b. Corrective action procedures;
- 8. Long-term Protection:
  - a. Conservation easements or deed restrictions;
  - b. Long-term stewardship plan and funding.

#### **D. Coordination with State and Federal Agencies**

**Wetland mitigation plans shall be coordinated with Oregon Division of State Lands and the U.S. Army Corps of Engineers as applicable.**

Section 2. Chapter 16.10.050, Approval Criteria is hereby amended in part as follows:

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- L. The proposed tentative plan is consistent with any applicable local, state and/or federal public health or environmental requirements, including but not limited to:
  - a. Flood damage prevention in CPMC 8.24;
  - ~~b. Riparian Corridor protection or mitigation pursuant to CPMC 17.60.090(E);~~
  - ~~c. Wetland Protection or mitigation pursuant requirements administered by the Department of State Lands;~~
  - b. Stream Corridor and Wetland Overlay lot layout. Individual lots shall not be created within the Stream Corridor Overlay or Wetland Overlay as designated**

**on the Land Use Overlay Map (Comprehensive Plan Figure 10.1). Stream corridors and wetlands shall be:**

- i. Placed in separate common area tracts owned and maintained by a homeowners association with recorded CC&Rs requiring preservation in natural condition and prohibiting structures, fencing, and landscape alterations; or**
- ii. Protected through conservation easements held by a qualified land trust or other conservation organization; or**
- iii. Where site configuration makes options (i) or (ii) infeasible, lots may include portions of Stream Corridor Overlay or Wetland Overlay only if a perpetual restrictive covenant is recorded over the overlay portion prohibiting all development, structures, fencing, grading, and landscape alterations.**

**d.c.** Shallow well mitigation per CPMC 17.65.025(B); and,

**e.d.** Soil remediation and other site contamination pursuant to requirements administered by the Department of Environmental Quality Voluntary or Independent Clean-up or other programs.

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**Section 3.** Chapter 17.60.090.E Special setback requirements is repealed in its entirety.

**Section 4.** Chapter 17.05.100, Table 17.05.1 is hereby amended in part as follows:

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**TABLE 17.05.1**

| LAND DEVELOPMENT PERMIT*            | PROCEDURAL TYPE | APPLICABLE REGULATIONS        | APPROVING AUTHORITY | 120-DAY RULE |
|-------------------------------------|-----------------|-------------------------------|---------------------|--------------|
| Annexation                          | Type IV         | Chapter <a href="#">17.94</a> |                     | No           |
| Legislative                         |                 |                               | City Council        |              |
| Code Interpretations                | Type II         | 17.11                         | Director            | No           |
| Comprehensive Plan & UGB Amendments |                 |                               |                     |              |
| Major                               | Type IV         | Chapter <a href="#">17.96</a> | City Council        | No           |
| Minor                               | Type III        | Chapter <a href="#">17.96</a> | City Council        | No           |
| Conditional Use Permit              | Type III        | Chapter <a href="#">17.76</a> | Planning Commission | Yes          |
| Conversion Plan                     | Type II         | Chapter <a href="#">16.32</a> | Director            | Yes          |

**TABLE 17.05.1**

| LAND DEVELOPMENT PERMIT*                                         | PROCEDURAL TYPE | APPLICABLE REGULATIONS                                                                             | APPROVING AUTHORITY | 120-DAY RULE |
|------------------------------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------|---------------------|--------------|
| Extensions                                                       |                 |                                                                                                    |                     |              |
| Type I Procedures                                                | Type I          | Section <a href="#">17.05.200</a> (G)                                                              | Director            | Yes          |
| Type II Procedures                                               | Type II         | Section <a href="#">17.05.300</a> (G)                                                              | Director            | Yes          |
| Floodplain Development Permit                                    | Type I          |                                                                                                    | Floodplain Manager  |              |
|                                                                  | Type II         | Chapter <a href="#">8.24</a>                                                                       | Director            | Yes          |
|                                                                  | Type III        |                                                                                                    | Planning Commission |              |
| <b>Map Error<br/>Stream Corridor Overlay<br/>Wetland Overlay</b> | <b>Type I</b>   | <b>Section 17.66.060(A)<br/>Section 17.66.060(B)</b>                                               | <b>Director</b>     | <b>Yes</b>   |
| Home Occupation Permit                                           | Type I          | Section <a href="#">17.60.190</a>                                                                  | Director            | Yes          |
| Land Division/Replat                                             |                 |                                                                                                    |                     |              |
| Tentative Plan, Partition                                        | Type II         | Chapter <a href="#">16.36</a>                                                                      | Director            | Yes          |
| Tentative Plan, Subdivision                                      | Type III        | Chapter <a href="#">16.10</a>                                                                      | Planning Commission | Yes          |
| Final Plat                                                       | Type I          | Chapter <a href="#">16.12</a>                                                                      | Director            | No           |
| Replat                                                           | ***             | Chapter <a href="#">16.40</a>                                                                      | ***                 | Yes          |
| Mobile Food Business                                             |                 |                                                                                                    |                     |              |
| Mobile Food Vendor                                               | Type I          | Section <a href="#">5.44.030</a><br>Chapter <a href="#">17.72</a>                                  | Director            | Yes          |
| Mobile Food Pod                                                  | Type II         | Section <a href="#">5.44.040</a><br>Chapter <a href="#">17.72</a>                                  | Director            | Yes          |
| Mobile Food Court                                                | Type III        | Section <a href="#">5.44.050</a><br>Chapter <a href="#">17.76</a><br>Chapter <a href="#">17.72</a> | Planning Commission | Yes          |
| Specialty Food Vendor                                            | Type I          | Section <a href="#">5.44.060</a>                                                                   | Director            | No           |
| Modification of Approval                                         |                 |                                                                                                    |                     |              |
| Major                                                            | Type III        | Section <a href="#">17.09.300</a>                                                                  | Planning Commission | Yes          |
| Minor                                                            | Type II         | Section <a href="#">17.09.400</a>                                                                  | Director            | Yes          |
| Planned Unit Development                                         | Type III        | Chapter <a href="#">17.68</a>                                                                      | Planning Commission | Yes          |
| Property Line Adjustment/Consolidation                           | Type I          | Chapter <a href="#">16.44</a>                                                                      | Director            | Yes          |
| Right-of-Way Vacation                                            | Type IV         | Chapter <a href="#">12.28</a>                                                                      | City Council        | No           |

**TABLE 17.05.1**

| LAND DEVELOPMENT PERMIT*                                     | PROCEDURAL TYPE | APPLICABLE REGULATIONS               | APPROVING AUTHORITY | 120-DAY RULE |
|--------------------------------------------------------------|-----------------|--------------------------------------|---------------------|--------------|
| Site Plan and Architectural Review                           |                 |                                      |                     |              |
| Minor                                                        | Type I          | Chapter <a href="#">17.72</a>        | Director            | Yes          |
| Major                                                        | Type II         | Chapter <a href="#">17.72</a>        | Director            | Yes          |
| TOD Overlay Master Plan                                      | Type III        | Chapter <a href="#">17.66</a>        | Planning Commission | Yes          |
| Tree Removal                                                 | Type II         | Chapter <a href="#">12.36</a>        | Director            | Yes          |
| Variances and Adjustments                                    |                 |                                      |                     |              |
| General Adjustment                                           | Type II         | Section <a href="#">17.13.200(A)</a> | Planning Director   | Yes          |
| Housing Adjustment                                           | Type II****     | Section <a href="#">17.13.200(B)</a> | Planning Director   | Yes          |
| Variance                                                     | Type III        | Section <a href="#">17.13.300</a>    | Planning Commission | Yes          |
| Zoning Map and Zoning and Land Division Code Text Amendments |                 |                                      |                     |              |
| Minor                                                        | Type III        | Chapter <a href="#">17.10</a>        | City Council        | Yes          |
| Major                                                        | Type IV         | Chapter <a href="#">17.10</a>        | City Council        | No           |

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**Section 5.** Chapter 8.24.090, Requirements for floodplain permit is hereby amended in part as follows:

A. A floodplain development permit shall be required prior to initiating development activities in any special flood hazard areas as established in Section 8.24.070. The permit shall be for all improvements or structures (including manufactured homes and fences, as set forth in Sections 8.24.050, 8.24.250 and 8.24.260), and for all development including fill and other activities, also set forth in Section 8.24.260. Floodplain development permits shall be subject to the review procedures based on the type of development activity proposed, as set forth below:

1. Section 17.05.200, Type I procedure (administrative), applies to the following floodplain development projects:

a. Site improvements and construction, including but not limited to new construction, additions, remodels, repairs and renovations located outside a regulatory floodway;

b. Development activities located outside the special stream setback area established in Section ~~17.60.090~~ **17.66.220**;

c. Development activities that do not require a conditional letter of map revision (CLOMR) or letter of map revision pursuant to Section 8.24.170(A) and (B);

d. Water dependent uses, such as bridges, culverts or other capital improvements identified in the city's capital improvement program that do not cause any rise in the base flood elevation per Section 8.24.200(A);

e. Bridge or culvert replacement projects deemed necessary by the floodplain administrator or designee to address immediate concerns for life, safety, health and/or the general welfare of the community; provided, that the following conditions are met:

i. The applicant is responsible for providing evidence necessary to support determination of public emergency;

ii. The bridge or culvert replacement is located along a similar or parallel alignment and contributes no additional material to the floodway;

iii. The bridge or culvert replacement project is consistent with any applicable hazard mitigation project actions identified in the Central Point Hazard Mitigation Plan; and

iv. The applicant provides certification of floodplain impacts and encroachment analysis for any permanent bridge or culvert placement at the time of application and includes:

(A) Impacts to the BFE;

(B) Impacts to the base floodplain boundaries; and

(C) Identification of any insurable structures within the base floodplain.

2. Section 17.05.300, Type II procedure (administrative), applies to the following floodplain development applications:

a. Development projects located within the special stream setback area established in Section ~~17.60.090~~ **17.66.220**;

b. Stream bank stabilization projects that utilize vegetative planting techniques and contribute no other fill or material other than vegetation to the stream channel, stream bank or surrounding area;

c. Proposals for minor partitions defined in Section 16.08.010(14)

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Section 6. 8.24.230 Stream setback requirements is hereby amended in part as follows:

Stream setbacks mitigate future flood losses by providing flood storage, enhancing channel stability, and buffering structures and other development from migrating stream channels. In addition, the stream setback establishes riparian buffer areas that provide opportunities for natural stormwater treatment, increased habitat for fish and wildlife species and increased opportunities for recreation and wildlife viewing. The stream setback shall apply to all streams in all Central Point zoning districts; provided, that the setback does not apply to the Jackson Creek Overbank regulatory floodway delineated on the effective FIRM, in accordance with the provisions provided in Section ~~17.60.090~~ **17.66.220**.

Section 7. 8.24.260 Other development is hereby amended in part as follows:

A. Fences and Walls. Fencing within the floodplain occurs frequently and can significantly increase flood elevation. This is due to the fences collecting debris and effectively creating a dam. Limited fencing will be allowed within the floodplain; provided, that it does not create flow restrictions and allows for the free flow of water. The following provisions shall apply to all fences permitted in the SFHA:

1. Fences are prohibited within the stream setback area on lots platted after the effective date of the ordinance codified in this chapter. Fences may be permitted in the stream setback area established pursuant to Section ~~17.60.090~~ **17.66.220** on lots platted prior to the effective date of the ordinance codified in this chapter; provided, that requirements provided below are satisfied:

- a. Fences in the regulatory floodway are prohibited;
- b. Fences are set back a minimum of five feet from the top-of-bank;
- c. Gates that are installed between properties that border a creek shall be of a width no less than twelve feet;
- d. Fencing must be built in removable sections;
- e. Fencing that consists of solid walls, creates a barrier impervious to stream flow or fencing that greatly restricts the flow of water is prohibited;

f. Gates installed between properties that border a creek shall have a minimum width of twelve feet;

g. Such fences, if significantly damaged or destroyed by a flood, shall require a floodplain development permit pursuant to Section 8.24.130 and subsection (A)(2) of this section to ensure that reconstruction methods are consistent with the need to minimize future flood damages.

2. Fences are a form of development and require a floodplain development permit pursuant to Section 8.24.090. Evaluation of floodplain development permit applications for proposed fences will be based on the following criteria:

a. Barbed wire fencing or other like material which creates an unreasonable or unnecessary risk of injury are prohibited.

b. Fences shall not be allowed within the special stream setback set forth in Sections 8.24.230 and ~~17.60.090~~ **17.66.220** unless the requirements provided in subsection (A)(1) of this section are satisfied.

c. Fencing shall be limited to the types that do not greatly restrict the passage of water or cause the accumulation of debris, as provided in the table below

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Section 8. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-H) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

Section 9. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

**PASSED** by the Council and signed by me in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
Mayor Tanea W. Browning

ATTEST:

\_\_\_\_\_  
City Recorder

30 – Ordinance No. \_\_\_\_\_; (Council Meeting \_\_/\_\_/2026)

# ENVIRONMENTAL MANAGEMENT ELEMENT AND ENVIRONMENTAL OVERLAY

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

File No.: CPA-23004 and ZC-26002

|                              |   |                   |
|------------------------------|---|-------------------|
| <b>Applicant:</b>            | ) | Findings of Fact  |
| City of Central Point        | ) | and               |
| 140 S 3 <sup>rd</sup> Street | ) | Conclusion of Law |
| Central Point OR 97502       | ) |                   |

### Part 1 - Introduction

The City is amending the Comprehensive Plan Environmental Management Element and Zoning Ordinance to accomplish the following:

- Update the Comprehensive Plan Environmental Management Element to address Statewide Planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces), Goal 6 (Air, Water and Land Resources Quality), and Goal 7 (Areas Subject to Natural Disasters and Hazards);
- Incorporate the City's first Local Wetland and Riparian Corridor Inventory into the existing Environmental Overlay in the Land Use Element of the Comprehensive Plan;
- Integrate findings from the updated to the historic resource inventory to reflect current conditions and state requirements for historic resources;
- Integrate findings from current floodplain studies and mapping, water quality assessments and hazard mitigation planning;
- Implement new resource protection measures and development standards in the Central Point Municipal Code (Title 17);

The purpose of these findings is to demonstrate that the proposed Comprehensive Plan and Zoning Code amendments are consistent with requirements set forth in OAR 660-012-0060, as well as the Statewide Planning Goals, Central Point Comprehensive Plan and Zoning Ordinance.

#### 1.1 Applications

There are two (2) applications required to update the Comprehensive Plan Environmental Element, update the Environmental Overlay map and implement new development standards in the Central Point Municipal Code:

- 1.1.1 Comprehensive Plan Amendment and Environmental Overlay Map Amendment (File No.: CPA-23004) - The proposed amendment to the Environmental Management Element includes updating goals and policies to address Statewide Planning Goals 5, 6, & 7; incorporating new and updated resource inventories into the comprehensive plan; and integrating findings from current floodplain studies and mapping, water quality assessments and hazard mitigation planning.

### 1.1.2 Zoning Text Amendment (File No.: ZC-26002)

The proposed zoning text amendment implements new resource protection measures and development standards for development in environmentally sensitive areas.

### 1.2 Procedural Requirements

The proposed amendments include policy, regulatory and map changes. Given the broad scope of the changes that apply new policies and regulations, the applications qualify as major legislative amendments pursuant to CPMC 17.96.300 and CPMC 17.10.300(A) and are being processed using Type IV (Legislative) procedures in a consolidated proceeding.

### 1.3 Approval Criteria

Comprehensive Plan and Zoning Ordinance amendments, text and map changes are subject to overlapping approval criteria as follows:

- OAR 660-012-0060
- Statewide Planning Goals
- Central Point Comprehensive Plan
- CPMC 17.96, Comprehensive Plan and Urban Growth Boundary Amendments
- CPMC 17.10, Zoning Code Map and Text Amendments

## Part 2 - Background

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The Environmental Management Element provides the policy framework for protecting and managing the City's natural and historic resources while supporting orderly growth. It establishes goals and policies focused on resource protection, environmental quality, hazard mitigation, resilience, and appropriate recreational access.

The Element was last updated in 1983 and does not fully address current state requirements or local conditions. In particular, it does not adequately address Oregon's Statewide Planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces), Goal 6 (Air, Water and Land Resources Quality), and Goal 7 (Areas Subject to Natural Disasters and Hazards). An update is necessary to ensure continued compliance with these goals, incorporate current resource data, and support the orderly annexation and development of land within the City.

The proposed amendments will:

- Revise environmental goals and policies to align with Statewide Planning Goals 5, 6, and 7;
- Adopt and incorporate the City's first Local Wetland and Riparian Corridor Inventory into the existing Environmental Overlay in the Comprehensive Plan;
- Update the historic resources inventory to reflect current conditions and applicable state requirements;
- Incorporate findings from recent floodplain studies and mapping, water quality assessments, and hazard mitigation planning efforts; and
- Clarify and implement resource protection measures and development standards for environmentally sensitive areas.

The updated Environmental Management Element provides clear policy direction for conserving natural resources, protecting environmental quality, and reducing hazard vulnerability. In doing so, it supports the City's broader objective of maintaining livability while accommodating planned growth.

## PART 3 - ZONING CODE COMPLIANCE

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### **17.10.200 Initiation of amendments.**

A proposed amendment to the code or zoning map may be initiated by 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:*** *On February 12, 2026, the City Council approved Resolution No 1861 declaring the Council's intent to initiate comprehensive plan and map amendments and text amendments to the zoning code.*

***Conclusion 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 amendments are revisions to the comprehensive plan and map and to the zoning ordinance that establish policies and regulations for future land use decisions. The requested change is a Major Amendment and have been processed in accordance with Type IV procedures in CPMC 17.05.500.*

***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 amendments have been reviewed against the Statewide Planning Goals and found to comply as follows:

Goal 1- Citizen Involvement. This goal requires that all citizens be given the opportunity to be involved in all phases of the planning process. As evidenced by the land use notifications, including notice to DLCD on January 26, 2026, notice published in a local newspaper and advertisement on the City's website ([www.centralpointoregon.gov/projects](http://www.centralpointoregon.gov/projects)), the City has duly noticed the application as necessary to allow the opportunity for citizen participation in the public hearings scheduled with the Planning Commission (03-03-2026) and City Council (03-26-2026) for the proposed map changes consistent with Goal 1.

Goal 2 – Land Use Planning. Goal 2 addresses the land use planning procedures in Oregon, including the need to adopt comprehensive plans and implementing ordinances based on factual information. The proposed change is based on factual information from the existing policy in the comprehensive plan, information compiled in the resource inventories, and the municipal code.

Goal 3 – Agricultural Lands. Goal 3 addresses agricultural land within rural areas. The proposed amendments do not affect agricultural lands or agricultural buffers that would be required adjacent to agricultural lands outside the urban growth boundary. On this basis, Goal 3 does not apply to the proposed plan, map and text amendments.

Goal 4 – Forest Lands. Goal 4 addresses forest lands within rural areas. The proposed map amendment does not affect forest lands or lands adjacent to forest lands; therefore, Goal 4 does not apply.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources. Goal 5 establishes a process for each natural and cultural resource to be inventoried and evaluated. The proposed amendments specifically address Goal 5 by incorporating new and updated inventoried resources, including wetlands, riparian corridors and historic resources, while integrating findings from current floodplain studies and mapping. The proposed text amendments establish land use standards for properties with environmental resources.

Goal 6 – Air, Water and Land Resources Quality. Goal 6 requires local comprehensive plans and implementing ordinances to comply with state and federal regulations on air, water and land quality resource requirements. The proposed amendments integrate the findings from regional water quality assessments and air quality monitoring for pollutants of concern in the Medford-Ashland Air Quality Maintenance Area that includes the Central Point as part of the Rogue Valley Municipal Planning Organization (RVMPO).

Goal 7 – Areas Subject to Natural Hazards. Goal 7 requires appropriate safeguards when planning for development in floodplains or other areas subject to natural hazards. The proposed amendments integrate the findings from the Natural Hazard Mitigation Plan, recently updated in a multi-jurisdictional process that included communities throughout Jackson County. Proposed policies, actions and standards are intended to minimize losses and protect areas subject to the dangers from natural hazards.

Goal 8 – Recreational Needs. This goal requires communities to inventory existing parks and recreational facilities, and to project the needed facilities to serve all

*populations within the community. The proposed amendments identify natural and cultural resources, implement policies to protect the quality of water, air and land resources, and identify strategies to maintain a resilient community that is subject to natural hazards. While resource areas may fulfill a need in providing areas for recreation, the intent of the proposed amendments is to identify and conserve resources and therefore are not expected to directly address recreational needs. On this basis, Goal 8 does not apply to the proposed amendments.*

*Goal 9 – Economy of the State.* Goal 9 addresses diversification and improvement of the economy and specifically addresses commercial and industrial land. The proposed amendments are intended to identify natural and cultural resources, implement policies to protect the quality of water, air and land resources, and identify strategies to maintain a resilient community that is subject to natural hazards. The proposed plan amendments promote the efficient use of lands and the proposed text amendments establish land use standards for properties with environmental resources. The amendments do not directly address policies for commercial or industrial lands; therefore, Goal 9 does not apply.

*Goal 10 – Housing.* Goal 10 requires local communities to plan for and accommodate housing needs in the City. The proposed plan amendments promote the identification and efficient use of lands most suitable for development. In addition, the proposed text amendments establish land use standards for properties with environmental resources. However, the amendments do not directly address housing production within the City. On this bases, Goal 10 does not apply.

*Goal 11 – Public Facilities and Services.* Goal 11 calls for efficient planning of public services such as sewer, water, law enforcement and fire protection to assure that public services are planned in accordance with a community's needs and capacities rather than to be forced to respond to development as it occurs. Public facilities and services are planned in accordance with the Comprehensive Plan Public Facilities Element and updated master plans for water, stormwater, etc. On this basis, Goal 11 does not apply.

*Goal 12 – Transportation.* Goal 12 aims to provide a safe, convenient and economic transportation system. Local planning of the transportation system for Central Point is addressed in the Transportation System Plan that satisfies the requirement of Goal 12. The proposed amendments promote the efficient use of lands within the urbanized area, but do not directly address the transportation system.

*Goal 13 – Energy.* Goal 13 has to do with conserving all forms of energy. The proposed amendments identify natural and cultural resources, implement policies to protect the quality of water, air and land resources, and identify strategies to maintain a resilient community that is subject to natural hazards. As such, the proposed plan, map and text amendments address energy utilization in Central Point.

*Goal 14 – Urbanization.* Urbanization is the process by which the City grows and Goal 14 has to do with managing the City's growth in conjunction with projected land needs based on population and land use. The proposed plan amendments promote the efficient use of lands by recognizing the environmental pressures from increased growth/urbanization and provides the tools to mitigate these impacts.

*Goals 15-* Applies to the Willamette Valley and does not apply to the City of Central Point.

Goals 16-19 - Applies to coastal areas and does not affect the City of Central Point.

**Conclusion CPMC 17.10.400(A):** Based on the nature of the proposed amendment and the findings above, the proposed changes to Comprehensive Plan Environmental Management Element, the Environmental Overlay map and the Central Point Municipal Code (Title 17) are consistent with all applicable Statewide Planning Goals.

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

**Finding CPMC 17.10.400 (B):** A review of the Central Point Comprehensive Plan identified the following relevant policies:

**Urbanization Element:**

Policy 5: Promote efficient and economical patterns of mixed land uses and development densities that locate a variety of different life activities, such as employment, housing, shopping and recreation in convenient proximity; and that are, or can be made, accessible by multiple modes of transportation—including walking, bicycling, and transit in addition to motor vehicles—within and between neighborhoods and districts.

Finding Urbanization Policy 5: The Environmental Management Element recognizes the environmental pressures from increased growth/urbanization and provides the tools to mitigate these impacts. It encourages early identification of resource constraints, promotes the use of low-impact, green infrastructure and guides development away from environmentally-sensitive or disaster-prone areas, supporting a safe, healthy, livable urban area.

Conclusion Urbanization Policy 5: Consistent

**Parks Element:**

Goal 3: Acquire and develop a high-quality, diversified system of parks, recreation amenities and open spaces that provide equitable access to all residents.

Policy 3.10: Manage vegetation in natural areas to support or maintain native plant species, habitat function and other ecological values; remove and control non-native or invasive plants as appropriate.

Finding Policy 3.10: The Environmental Management Element balances the need for future development with a safe, resilient and healthy environment including well-designed urban landscapes with accessible parks. It focuses on the City's goals to improve overall environmental quality that includes protecting natural resources, reducing pollution and enhancing habitat and natural areas.

Conclusion Policy 3.10: Consistent.

**Land Use Element:**

*Residential Policy 1: To ensure a high degree of livability and environmental quality in all residential areas of Central Point.*

*Finding Residential Policy 1: The Environmental Management Element identifies areas to be protected, degraded areas in need of restoration, and sources of pollution that can impact surrounding environmental resources. It ensures that future land use decisions consider natural systems and environmental limits, supporting more sustainable development patterns. Environmental quality is essential to creating a healthy, vibrant city where people want to live.*

*Conclusion Residential Policy 1: Consistent*

**Conclusion CPMC 17.10.400(B):**Based on the evaluation of applicable Comprehensive Plan policies, the proposed comprehensive plan and map amendments and proposed text amendments are consistent with the Central Point Comprehensive Plan.

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 development of the subject property was considered during the approval of the Twin Creeks Master Plan, which includes analysis of transportation needs, traffic circulation and transit services. A Trip Generation Analysis, prepared by Southern Oregon Transportation Engineering dated April 17, 2023, concludes the proposed map amendment will not generate additional impacts on transportation facilities.

**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)).

**OAR 660-012-0060 – Transportation Planning Rule**

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. Oregon Administrative Rule (OAR) 660-012-0060 subsection (1) states the following:

- (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. 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 (exclusive of corrections of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the areas of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.
  - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
  - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or,
  - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

***Finding OAR 660-012-0060(1):*** *The proposed comprehensive plan and map amendments update the Environmental Management Element and add resource areas, including local wetlands and riparian corridors determined to be locally significant, to the Environmental Overlay of the Land Use Element. The proposed text amendments establish regulations for resource lands in the Central Point Municipal Code, Title 17(Zoning) in order to support informed land use decisions, provide clarity for property owners, and ensure consistent application of standards citywide for properties. The proposed amendments are for the protection of resource lands and promote the efficiency of land uses to manage the conflicts between urban growth and environmental protection. The amendments do not affect existing or planned transportation facilities.*

***Conclusion OAR 660-012-0060(1):*** *Consistent.*

- (2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e),

section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

- (a) Adopting measures that demonstrate allowed land uses are consistent with the planned, function, capacity, and performance standards of the facility.
- (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.
- (c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- (d) Providing other measures as a condition of development or through a development agreement or similar funding method, including but not limited to transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.
- (e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations if:
  - (A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all standards;
  - (B) The providers of facilities being improved at other locations provide written statements of approval; and,
  - (C) The local jurisdictions where facilities are being improved provide written statements of approval.

***Finding OAR 660-012-0060(2): As demonstrated in the findings and conclusions for OAR 660-012-0060(1), the proposed zone map change does not significantly affect transportation facilities.***

***Conclusion OAR 660-012-0060(2): Not applicable.***

- (3) Notwithstanding sections(1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity, and performance standards of the facility where:
- (a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the TSP.
  - (b) Development resulting from the amendment will, at a minimum mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;
  - (c) The amendment does not involve property located in an interchange area as defined in paragraph (d)(C); and

For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

***Finding OAR 660-012-0060(2): As demonstrated in the findings and conclusions for OAR 660-012-0060(1), the proposed zone map change does not significantly affect transportation facilities.***

***Conclusion OAR 660-012-0060(2): Not applicable.***

- (4) Determinations under sections (1) through (3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.
- (a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in

subsections (b) and (c) below.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements, and services:

- (A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.
- (B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.
- (C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.
- (D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.
- (E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b) (A)-(C) are considered planned facilities, improvements and services, except where:

- (A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact

on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or,

- (B) There is an adopted interchange area management plan, then local government may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

(d) As used in this section and section (3):

- (A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

- (B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and,

- (C) Interstate interchange area means:

- (i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or,
  - (ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.

- (e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E), or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

***Finding OAR 660-012-0060(4): As demonstrated in the findings and conclusions for OAR 660-012-0060(1), the proposed zone map change does not significantly affect transportation facilities.***

***Conclusion OAR 660-012-0060(4): Not applicable.***

- (5) The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional, or industrial development on rural lands under this division or OAR 660-004-0022 and 660-004-0028.

***Finding OAR 660-012-0060(5): The applications are for the protection of resource lands and promote the efficiency of land uses to manage the conflicts between urban growth and environmental protection. No exceptions are requested as part of the application.***

***Conclusion OAR 660-012-0060(5): Not applicable.***

- (6) If a local government is determining whether proposed land uses would affect or be consistent with planned transportation facilities as provided in sections (1) and (2) using a performance standard based on projected levels of motor vehicle traffic, then the local government shall give full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods as provided in subsections (a)–(d);
- (a) Absent adopted local standards or detailed information about the vehicle trip reduction benefits of mixed-use, pedestrian-friendly development, local governments shall assume that uses located within a mixed-use, pedestrian-friendly center, or neighborhood, will generate 10 percent fewer daily and peak hour trips than are specified in available published estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual that do not specifically account for the effects of mixed-use, pedestrian-friendly development. The 10 percent reduction allowed for by this subsection shall be available only if uses that rely solely on auto trips, such as gas stations, car washes, storage facilities, and motels are prohibited;
  - (b) Local governments shall use detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development where such information is available and presented to the local government. Local governments may, based on such information, allow reductions greater than the 10 percent reduction required in subsection (a);
  - (c) Where a local government assumes or estimates lower vehicle trip generation as provided in subsection (a) or (b), it shall ensure through conditions of approval, site plans, or approval standards that subsequent development approvals support the development of a mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and pedestrian connectivity and access to transit as provided for in OAR 660-012-0045(3) and (4). The provision of on-site bike and pedestrian connectivity and access to transit may be accomplished through application of acknowledged ordinance provisions which comply with OAR 660-012-0045(3) and (4) or through conditions of approval or

findings adopted with the plan amendment that ensure compliance with these rule requirements at the time of development approval; and

- (d) The purpose of this section is to provide an incentive for the designation and implementation of pedestrian-friendly, mixed-use centers and neighborhoods by lowering the regulatory barriers to plan amendments that accomplish this type of development. The actual trip reduction benefits of mixed-use, pedestrian-friendly development will vary from case to case and may be somewhat higher or lower than presumed pursuant to subsection (a). The commission concludes that this assumption is warranted given general information about the expected effects of mixed-use, pedestrian-friendly development and its intent to encourage changes to plans and development patterns. Nothing in this section is intended to affect the application of provisions in local plans or ordinances that provide for the calculation or assessment of systems development charges or in preparing conformity determinations required under the federal Clean Air Act

***Finding OAR 660-012-0060(6): See Finding OAR 660-012-0060(1).***

***Conclusion OAR 660-012-0060(6): Not applicable.***

- (7) Amendments to acknowledged comprehensive plans and land use regulations that meet all of the criteria listed in subsections (a)–(c) shall include an amendment to the comprehensive plan, transportation system plan, the adoption of a local street plan, access management plan, future street plan, or other binding local transportation plan to provide for on-site alignment of streets or accessways with existing and planned arterial, collector, and local streets surrounding the site as necessary to implement the requirements in OAR 660-012-0020(2)(b) and 660-012-0045(3):

- (a) The plan or land use regulation amendment results in designation of two or more acres of land for commercial use;
- (b) The local government has not adopted a TSP or local street plan that complies with OAR 660-012-0020(2)(b) or, in the Portland Metropolitan Area, has not complied with Metro’s requirement for street connectivity as contained in Title 1, Section 3.08.110 of the Regional Transportation Functional Plan; and
- (c) The proposed amendment would significantly affect a transportation facility as provided in section (1).

***Finding OAR 660-012-0060(7): The proposed amendments are legislative in nature, shaping policy and apply to resource lands throughout the City and are not specific to a specific subject property. The Transportation System Plan for the City of Central Point was acknowledged in 2008. As demonstrated in the findings and conclusions for***

*OAR 660-012-0060(1), the proposed amendments do not significantly affect transportation facilities.*

**Conclusion OAR 660-012-0060(7): Not applicable.**

(8) A “mixed-use, pedestrian-friendly center or neighborhood” for the purposes of this rule, means:

(d) Any one of the following:

- i. An existing central business district or downtown;
- ii. An area designated as a central city, regional center, town center, or main street in the Portland Metro 2040 Regional Growth Concept;
- iii. An area designated in an acknowledged comprehensive plan as a transit-oriented development or a pedestrian district; or
- iv. An area designated as a special transportation area as provided for in the Oregon Highway Plan.

(e) An area other than those listed in subsection (a) which includes or is planned to include the following characteristics:

(A) A concentration of a variety of land uses in a well-defined area, including the following:

- (i) Medium to high density residential development (12 or more units per acre);
- (ii) Offices or office buildings;
- (iii) Retail stores and services;
- (iv) Restaurants; and
- (v) Public open space or private open space that is available for public use, such as a park or plaza.

(B) Generally include civic or cultural uses;

(C) A core commercial area where multi-story buildings are permitted;

(D) Buildings and building entrances oriented to streets;

- (E) Street connections and crossings that make the center safe and conveniently accessible from adjacent areas;
- (F) A network of streets and, where appropriate, accessways and major driveways that make it attractive and highly convenient for people to walk between uses within the center or neighborhood, including streets and major driveways within the center with wide sidewalks and other features, including pedestrian-oriented street crossings, street trees, pedestrian-scale lighting and on-street parking;
- (G) One or more transit stops (in urban areas with fixed route transit service); and
- (H) Limit or do not allow low-intensity or land extensive uses, such as most industrial uses, automobile sales and services, and drive-through services.

***Finding OAR 660-012-0060(8):*** *The proposed amendments are legislative in nature, shaping policy and apply to resource lands throughout the City and are not directed to a specific subject property or type of development.*

***Conclusion OAR 660-012-0060(8):*** *Not applicable.*

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned facility if all of the following requirements are met:

- (a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;
- (b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and,
- (c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

***Finding OAR 660-012-0060(9):*** *The proposed amendments add resource areas to the Environmental Overlay in the Land Use Element and establish standards for properties that have identified resource areas; however, the amendments do not*

*amend or otherwise alter the underlying zoning of property affected by the comprehensive plan and map amendments.*

**Conclusion OAR 660-012-0060(9)(c): Not applicable.**

(10) Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional plan, a comprehensive plan or a land use regulation without applying performance standards related to motor vehicle traffic congestion (e.g. volume to capacity ratio or V/C), delay or travel time if the amendment meets the requirements of subsection (a) of this section. This section does not exempt a proposed amendment from other transportation performance standards or policies that may apply including, but not limited to, safety for all modes, network connectivity for all modes (e.g. sidewalks, bicycle lanes) and accessibility for freight vehicles of a size and frequency required by the development.

(a) A proposed amendment qualifies for this section if it:

- (A) Is a map or text amendment affecting only land entirely within a multimodal mixed-use area (MMA); and
- (B) Is consistent with the definition of an MMA and consistent with the function of the MMA as described in the findings designating the MMA.

(b) For the purpose of this rule, “multimodal mixed-use area” or “MMA” means an area:

- (A) With a boundary adopted by a local government as provided in subsection (d) or (e) of this section and that has been acknowledged;
- (B) Entirely within an urban growth boundary;
- (C) With adopted plans and development regulations that allow the uses listed in paragraphs (8)(b)(A) through (C) of this rule and that require new development to be consistent with the characteristics listed in paragraphs (8)(b)(D) through (H) of this rule;
- (D) With land use regulations that do not require the provision of off-street parking, or regulations that require lower levels of off-street parking than required in other areas and allow flexibility to meet the parking requirements (e.g. count on-street parking, allow long-term leases, allow shared parking); and
- (E) Located in one or more of the categories below:

- (i) At least one-quarter mile from any ramp terminal intersection of existing or planned interchanges;
  - (ii) Within the area of an adopted Interchange Area Management Plan (IAMP) and consistent with the IAMP; or
  - (iii) Within one-quarter mile of a ramp terminal intersection of an existing or planned interchange if the mainline facility provider has provided written concurrence with the MMA designation as provided in subsection (c) of this section.
- (c) When a mainline facility provider reviews an MMA designation as provided in subparagraph (b)(E)(iii) of this section, the provider must consider the factors listed in paragraph (A) of this subsection.
  - (A) The potential for operational or safety effects to the interchange area and the mainline highway, specifically considering:
    - (i) Whether the interchange area has a crash rate that is higher than the statewide crash rate for similar facilities;
    - (ii) Whether the interchange area is in the top ten percent of locations identified by the safety priority index system (SPIS) developed by ODOT; and
    - (iii) Whether existing or potential future traffic queues on the interchange exit ramps extend onto the mainline highway or the portion of the ramp needed to safely accommodate deceleration.
  - (B) If there are operational or safety effects as described in paragraph (A) of this subsection, the effects may be addressed by an agreement between the local government and the facility provider regarding traffic management plans favoring traffic movements away from the interchange, particularly those facilitating clearing traffic queues on the interchange exit ramps.
- (d) A local government may designate an MMA by adopting an amendment to the comprehensive plan or land use regulations to delineate the boundary following an existing zone, multiple existing zones, an urban renewal area, other existing boundary, or establishing a new boundary. The designation must be accompanied by findings showing how the area meets the definition of an MMA. Designation of an MMA is not subject to the requirements in sections (1) and (2) of this rule.

- (e) A local government may designate an MMA on an area where comprehensive plan map designations or land use regulations do not meet the definition, if all of the other elements meet the definition, by concurrently adopting comprehensive plan or land use regulation amendments necessary to meet the definition. Such amendments are not subject to performance standards related to motor vehicle traffic congestion, delay or travel time.

***Finding OAR 660-012-0060(10): The proposed amendments are legislative in nature, shaping policy and apply to resource lands throughout the City and are not directed to a specific subject property or type of development.***

***Conclusion OAR 660-012-0060(10): Not applicable.***

- (11) A local government may approve an amendment with partial mitigation as provided in section (2) of this rule if the amendment complies with subsection (a) of this section, the amendment meets the balancing test in subsection (b) of this section, and the local government coordinates as provided in subsection (c) of this section.

- (a) The amendment must meet paragraphs (A) and (B) of this subsection.

- (A) Create direct benefits in terms of industrial or traded-sector jobs created or retained by limiting uses to industrial or traded-sector industries.

- (B) Not allow retail uses, except limited retail incidental to industrial or traded sector development, not to exceed five percent of the net developable area.

- (C) For the purpose of this section:

- (i) “Industrial” means employment activities generating income from the production, handling, or distribution of goods including, but not limited to, manufacturing, assembly, fabrication, processing, storage, logistics, warehousing, importation, distribution and transshipment, and research and development.

- (ii) “Traded-sector” means industries in which member firms sell their goods or services into markets for which national or international competition exists.

- (b) A local government may accept partial mitigation only if the local government determines that the benefits outweigh the negative effects on local transportation facilities and the local government receives from the provider of any transportation facility that would be significantly affected written concurrence that the benefits outweigh the negative effects on their transportation facilities. If the

amendment significantly affects a state highway, then ODOT must coordinate with the Oregon Business Development Department regarding the economic and job creation benefits of the proposed amendment as defined in subsection (a) of this section. The requirement to obtain concurrence from a provider is satisfied if the local government provides notice as required by subsection (c) of this section and the provider does not respond in writing (either concurring or non-concurring) within 45 days.

- (c) A local government that proposes to use this section must coordinate with Oregon Business Development Department, Department of Land Conservation and Development, area commission on transportation, metropolitan planning organization, and transportation providers and local governments directly impacted by the proposal to allow opportunities for comments on whether the proposed amendment meets the definition of economic development, how it would affect transportation facilities and the adequacy of proposed mitigation. Informal consultation is encouraged throughout the process starting with pre-application meetings. Coordination has the meaning given in ORS 197.015 and Goal 2 and must include notice at least 45 days before the first evidentiary hearing. Notice must include the following:
  - (A) Proposed amendment.
  - (B) Proposed mitigating actions from section (2) of this rule.
  - (C) Analysis and projections of the extent to which the proposed amendment in combination with proposed mitigating actions would fall short of being consistent with the performance standards of transportation facilities.
  - (D) Findings showing how the proposed amendment meets the requirements of subsection (a) of this section.
  - (E) Findings showing that the benefits of the proposed amendment outweigh the negative effects on transportation facilities

***Finding OAR 660-012-0060(11):*** *The proposed amendments are legislative in nature, shaping policy and apply to resource lands throughout the City and are not directed to a specific subject property or type of development. As demonstrated in the findings and conclusions for OAR 660-012-0060(1), the proposed amendments do not significantly affect transportation facilities, the functional plan will not change and mitigation is not required.*

***Conclusion OAR 660-012-0060(11):*** *Not applicable.*

#### PART 4 – CONCLUSION

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As evidenced in findings and conclusions provided in Part 3, the proposed Comprehensive Plan and zone text amendment is consistent with applicable standards and criteria in the Central Point Municipal Code, including the Statewide Planning Goals (where applicable), Comprehensive Plan, and Statewide Transportation Planning Rule.

## PLANNING COMMISSION RESOLUTION NO. 941

### A RESOLUTION FORWARDING A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO APPROVE MAJOR AMENDMENTS TO CENTRAL POINT MUNICIPAL CODE CHAPTER 17.66 TO ESTABLISH ENVIRONMENTAL OVERLAY STANDARDS AND CHAPTER 16.10 TO LIMIT NEW LOTS IN RIPARIAN CORRIDORS AND WETLANDS

**FILE NO. ZC-26002**

Applicant: City of Central Point

**WHEREAS**, the proposed code amendments include a new Environmental Overlay chapter (CPMC 17.66) that establishes regulations for Flood Overlay, Stream Corridor Overlay, and Wetland Overlay areas with resource protection measures and development standards in environmentally sensitive areas; and

**WHEREAS**, the proposed code amendments include limits in CPMC 16.10 – Tentative Plan on establishing new lots in the Stream Corridor and Wetland Overlays; and

**WHEREAS**, the Environmental Overlay chapter and Tentative Plan standards are consistent with the Environmental Management Element and the Environmental Overlay in the Land Use Element; and

**WHEREAS**, on February 17, 2026 the City of Central Point Citizen's Advisory Committee considered and approved Resolution 2026-1 forwarding a favorable recommendation to the approve the proposed amendments; and

**WHEREAS**, revisions to the proposed code amendments were presented at the March 3, 2026 Planning Commission hearing incorporating changes to separate each overlay, technical clarifications, and enhanced protections for new subdivisions, which revisions were distributed to the Commission and are included in the record; and

**WHEREAS**, the Planning Commission finds that the above referenced code amendments, as revised, comply with the approval criteria set forth in CPMC 17.10, including the Statewide Planning Goals, Comprehensive Plan and Transportation Planning Rule as evidenced by the Planning Department Findings of Fact and Conclusions of Law in the Staff Report dated March 3, 2026 (Exhibit A) including all attachments therein.

**NOW, THEREFORE, BE IT RESOLVED**, that

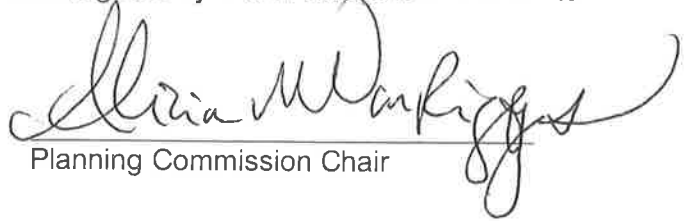
Section 1: It is the intent of the City of Central Point Planning Commission to amend Title 17 (Zoning) and Title 16 (Subdivisions) of the Central Point Municipal Code in order to establish Environmental Overlay standards that implement criteria for resource protection and development in environmentally sensitive areas, and to limit new lot creation within riparian corridors and wetlands.

Section 2: The City of Central Point Planning Commission hereby forwards a favorable recommendation to the City Council to approve the amendments in File No. ZC-26002 as revised and presented at the March 3, 2026 hearing, as set forth the Planning

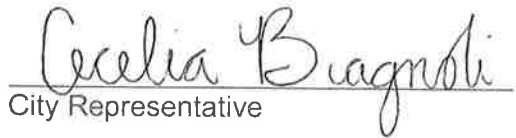
Department Staff Report dated March 3, 2026 (Exhibit A), including the Planning Department Findings of Fact and Conclusions of Law, and all attachments therein.

Section 3: This decision is based upon the Planning Department Staff Report dated March 3, 2026, attached hereto as Exhibit A, including all attachments therein.

**PASSED** by the Planning Commission and signed by me in authentication of its passage this 3rd day of March 2026.

  
Planning Commission Chair

ATTEST:

  
City Representative



**DEPARTMENT:** Administration

**MEETING DATE:** March 26, 2026

**STAFF CONTACT:** Sydnee Dreyer, City Attorney

**SUBJECT:** Ordinance Amending Chapter 8.04 of the Central Point Municipal Code to Add Section 8.04.045 Unlawful Graffiti on Private Property as a Public Nuisance and Providing for Abatement

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**SUMMARY AND BACKGROUND:**

Council directed staff to prepare an ordinance requiring removal of graffiti on private property and to deal with it as a hybrid approach in which graffiti is declared a public nuisance, while also developing procedures to assist the public with graffiti removal.

At its February 26th Council meeting, staff presented the draft ordinance for discussion and direction. At that time, Council indicated the proposed ordinance was the right direction to deal with graffiti on private property. In addition, staff proposed that the city could use designated funds to purchase paint/graffiti removal supplies to assist members of the public with graffiti removal, in the event cost is a barrier to addressing the concern.

The ordinance presented is consistent with the ordinance discussed at the February 26 meeting and no changes have been made. In addition, staff will work to purchase supplies to assist the public and to develop waivers and releases for any member of the public requesting city assistance. There is no need to codify the city's policy to assist with graffiti removal.

At its March 12 Council meeting, Council moved to forward the ordinance to a second reading as presented. No changes have been made to the ordinance since the first reading.

**PREVIOUSLY DISCUSSED/DECIDED:**

January 22, 2026 Council meeting and February 26, 2026 Council meeting.

**FINANCIAL ANALYSIS:**

**LEGAL ANALYSIS:**

**COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:**

Community Investment

GOAL 1 - Build a strong city that is fiscally sustainable and provides enhanced services and small-town nuance.

GOAL 2 - Be a city filled with happy, healthy people who are thriving.

**ATTACHMENTS/EXHIBITS:**

1. ORD - Amending Ch 8.04 Adding Unlawful Graffiti

**STAFF RECOMMENDATION:**

Move to approve the Ordinance.

**RECOMMENDED MOTION:**

I move to approve Ordinance No. \_\_\_\_\_ an Ordinance amending Chapter 8.04 of the Central Point Municipal Code to add Section 8.04.045 unlawful graffiti on private property as a public nuisance and providing for abatement.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 8.04 OF THE CENTRAL POINT  
MUNICIPAL CODE TO ADD SECTION 8.04.045 UNLAWFUL GRAFFITI ON  
PRIVATE PROPERTY AS A PUBLIC NUISANCE AND PROVIDING FOR  
ABATEMENT**

**RECITALS:**

A. The City of Central Point finds that unlawful graffiti on private property contributes to urban blight, decreases property values, creates conditions that invite criminal activity, and is detrimental to the public health, safety, and welfare of the community.

B. The City Council finds that prompt removal of graffiti discourages further defacement and promotes community pride and economic vitality.

C. The City desires to amend Chapter 8.04 of the Central Point Municipal Code to expressly declare unlawful graffiti on private property a public nuisance and to establish clear abatement procedures consistent with Oregon law and practices adopted in other Oregon municipalities.

**THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

**SECTION 1. Chapter 8.04 Amended.**

Chapter 8.04 of the Central Point Municipal Code is hereby amended to add a new section to read as follows:

**8.04.045 Unlawful Graffiti on Private Property – Public Nuisance.**

**A. Definitions.**

For purposes of this section:

1. “Graffiti” means any inscription, word, figure, marking, design, symbol, or drawing that is marked, etched, scratched, sprayed, painted, drawn, or otherwise affixed to or placed upon public or private property without the express permission of the owner or person in lawful possession of the property.
2. “Owner” means the record owner of real property as shown on the most recent assessment roll of Jackson County, or the owner’s agent, lessee, or other person in control or possession of the property.
3. “Responsible person” means any person who causes, permits, maintains, or allows graffiti to remain on property owned, occupied, or controlled by that person.

**B. Public Nuisance Declared.**

Ord. No. \_\_\_\_\_; (City Council Meeting (\_\_\_\_/\_\_\_\_/2026)

Graffiti located on private property within the City of Central Point that is visible from a public right-of-way or neighboring property and that has been applied without the consent of the property owner is hereby declared to be a public nuisance.

The City Manager or his designee may adopt procedures, forms, and written policies for administering and implementing the provisions of this chapter.

C. Duty to Remove.

1. The owner or responsible person shall remove or effectively obscure graffiti from the affected surface within fifteen (15) days after the graffiti's appearance. Removal shall mean elimination of the graffiti by painting over, cleaning, sandblasting, or other method that restores the surface to a condition that is free of visible graffiti.

D. Notice of Violation.

1. When the City determines that graffiti constituting a public nuisance exists, the City shall provide written notice to the owner or responsible person. Notice shall:
  - a. Identify the property by address or legal description;
  - b. Describe the nature and location of the graffiti;
  - c. State that the graffiti constitutes a public nuisance;
  - d. Order removal within ten (10) days, or as otherwise specified in the notice;
  - e. Provide a statement that unless the nuisance is removed within the specified time period the city will remove the nuisance and the cost of removal shall be a lien against the property; and
  - f. A statement that the owner or responsible person may protest the action by giving notice to the recorder within seven (7) days of the date of the notice as provided in Section 8.04.110, except with regard to the time to appeal.
2. The City may provide for a shorter notice period if the graffiti is determined to contain gang-related content, threats, or other material posing an immediate threat to public safety.
3. Notice shall be provided by personal delivery or by first-class mail to the address listed on the most recent county assessment roll, and may also be posted on the property.

E. Failure to Abate – City Abatement.

1. If the owner or responsible person fails to remove or effectively obscure the graffiti within the time specified in the notice, the City may enter upon the property at reasonable times and abate the nuisance by removing or obscuring the graffiti.
2. The City shall not be responsible for damage to landscaping or improvements that may necessarily result from reasonable abatement activities.

Ord. No. \_\_\_\_\_; (City Council Meeting (\_\_\_\_/\_\_\_\_/2026)

F. Costs and Assessment.

The cost of abatement, including administrative costs, shall be charged to the owner of the property as provided in Section 8.04.130.

G. No Relief from Criminal Liability.

Nothing in this section limits or precludes prosecution under any applicable state law or municipal code provision relating to criminal mischief, vandalism, or graffiti.

SECTION 2. Codification.

Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 3. Effective Date.

The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
Mayor Taneea Browning

ATTEST:

\_\_\_\_\_  
City Recorder

Ord. No. \_\_\_\_\_; (City Council Meeting (\_\_\_\_/\_\_\_\_/2026)



**DEPARTMENT:** Finance

**MEETING DATE:** March 26, 2026

**STAFF CONTACT:**

**SUBJECT:** Ordinance Amending in part Chapter 13.16.010 Water and Utility Rate Discounts for Extreme Hardship

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**SUMMARY AND BACKGROUND:**

The City currently offers a utility rate discount program to assist low-income residents with the cost of essential utility services. Eligibility has historically been set at or below 150% of the Federal Poverty Level (FPL).

At present, the City has 38 customers participating in the hardship program out of approximately 6,950 total utility customers. By comparison, participation was significantly higher in the past, with approximately 140 customers enrolled in 2008, when the City's total customer base was around 6,000.

In recent years, residents have experienced rising costs associated with utilities, housing, and other basic needs. These increases have placed additional financial strain on households that may not qualify under the current threshold but still face difficulty meeting monthly expenses.

Expanding eligibility to households earning up to 200% of the Federal Poverty Level would allow the City to better align its assistance program with current economic conditions. This adjustment would:

- Provide relief to a broader segment of the community experiencing financial hardship
- Help mitigate the impact of rising utility rates and cost of living increases
- Support housing and financial stability for residents who may otherwise struggle to maintain services

The reduction in program participation—despite an increase in the overall customer base—suggests that fewer residents are qualifying under the current threshold, rather than a decreased need for assistance. Many households between 150% and 200% of the FPL are considered “moderate income” but remain vulnerable to economic fluctuations and increased living costs. Expanding the threshold ensures the program remains responsive and equitable.

## **PREVIOUSLY DISCUSSED/DECIDED:**

### **FINANCIAL ANALYSIS:**

Increasing the eligibility threshold may result in a higher number of program participants, which could reduce overall utility revenue. However, the exact fiscal impact will depend on participation levels. Staff will continue to monitor program usage and report back as needed.

### **LEGAL ANALYSIS:**

### **COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:**

Community Investment

Goal 2 — Be a city filled with happy, healthy people who are thriving.

### **ATTACHMENTS/EXHIBITS:**

1. Hardship Application 2026-150%
2. Hardship Application 2026-200%
3. ORD - Amending Ch. 13.16 Utility Discounts

### **STAFF RECOMMENDATION:**

Staff recommends that the City Council approve increasing the eligibility threshold for the utility rate discount program from 150% to 200% of the Federal Poverty Level.

### **RECOMMENDED MOTION:**

I move to forward an Ordinance Amending in part Chapter 13.16.010 Water and Utility Rate Discounts for Extreme Hardship to a second reading.



## City of Central Point

140 S Third Street  
Central Point, OR 97502  
541-664-3321 x 204

# 150%

### Application for Extreme Hardship Discount

**50% OFF YOUR UTILITY BILL**

Utility Account Number: \_\_\_\_\_

\_\_\_\_\_  
Name of Applicant (Must be same as utility account holder)

\_\_\_\_\_  
Service Address (Applicant must reside at service address)

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Home Phone Number

\_\_\_\_\_  
Alternate Phone Number

\_\_\_\_\_  
Mailing Address (If different from Service Address)

\_\_\_\_\_  
City

\_\_\_\_\_  
Zip

Do you own or rent? ☐ Own ☐ Rent

If you rent, please complete the following:

Landlord Name: \_\_\_\_\_

Landlord Address: \_\_\_\_\_

Total monthly expenses \$ \_\_\_\_\_

Landlord Phone #: \_\_\_\_\_

Please answer the following:

1. Are you currently participating in the low income utility program:
2. Are all adult household members retired and 65+ years of age?
3. Is this your primary residence?
4. If renting, do you pay your water bill to the city?
5. Are you receiving any Government or State assistance?

YES NO

☐☐☐☐☐☐☐☐☐☐

Number of persons living in your residence under 18 years of age: \_\_\_\_\_

Adults: \_\_\_\_\_

**Please check only one box**

| Maximum Annual           |   |                      | Maximum Annual           |   |                      |
|--------------------------|---|----------------------|--------------------------|---|----------------------|
| Size of Family Unit      |   | Income - all Sources | Size of Family Unit      |   | Income - all Sources |
| <input type="checkbox"/> | 1 | \$ 23,940.00         | <input type="checkbox"/> | 5 | \$ 58,020.00         |
| <input type="checkbox"/> | 2 | \$ 32,460.00         | <input type="checkbox"/> | 6 | \$ 66,540.00         |
| <input type="checkbox"/> | 3 | \$ 40,980.00         | <input type="checkbox"/> | 7 | \$ 75,060.00         |
| <input type="checkbox"/> | 4 | \$ 49,500.00         | <input type="checkbox"/> | 8 | \$ 83,580.00         |

**Verification of ALL household income must be presented with completed application. If household member is not listed on tax return please list on back of form.**

☐ Income Tax Return for year \_\_\_\_\_ (No more than 12 months prior)

☐ Soc Sec Admin Statement of Benefits

☐ If self-employed please include copy of Schedule C

☐ Other: \_\_\_\_\_

**I understand that in order to continue receiving this discount I must keep my account current**

**(Initial) at all times.**

*By signing below Applicant is certifying that the information submitted to the City of Central Point is accurate to the best of his/her knowledge.*

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date Submitted

### City of Central Point Certification

*The above named applicant has met the income eligibility requirements of the City of Central Point and has satisfactorily submitted verification of same*

☐ Approved

☐ Denied

\_\_\_\_\_  
Authorized Finance Department Signature

Date Entered into System: \_\_\_\_\_

By: \_\_\_\_\_



## City of Central Point

140 S Third Street  
Central Point, OR 97502  
541-664-3321 x 204

# 200%

### Application for Extreme Hardship Discount

**50% OFF YOUR UTILITY BILL**

Utility Account Number: \_\_\_\_\_

\_\_\_\_\_  
Name of Applicant (Must be same as utility account holder)

\_\_\_\_\_  
Service Address (Applicant must reside at service address)

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Home Phone Number

\_\_\_\_\_  
Alternate Phone Number

\_\_\_\_\_  
Mailing Address (If different from Service Address)

\_\_\_\_\_  
City

\_\_\_\_\_  
Zip

Do you own or rent? ☐ Own ☐ Rent

If you rent, please complete the following:

Landlord Name: \_\_\_\_\_

Landlord Address: \_\_\_\_\_

Total monthly expenses \$ \_\_\_\_\_

Landlord Phone #: \_\_\_\_\_

Please answer the following:

1. Are you currently participating in the low income utility program:
2. Are all adult household members retired and 65+ years of age?
3. Is this your primary residence?
4. If renting, do you pay your water bill to the city?
5. Are you receiving any Government or State assistance?

YES NO

☐☐☐☐☐☐☐☐☐☐

Number of persons living in your residence under 18 years of age: \_\_\_\_\_

Adults: \_\_\_\_\_

**Please check only one box**

| Maximum Annual           |   |                      | Maximum Annual           |   |                      |
|--------------------------|---|----------------------|--------------------------|---|----------------------|
| Size of Family Unit      |   | Income - all Sources | Size of Family Unit      |   | Income - all Sources |
| <input type="checkbox"/> | 1 | \$ 31,920.00         | <input type="checkbox"/> | 5 | \$ 77,360.00         |
| <input type="checkbox"/> | 2 | \$ 43,280.00         | <input type="checkbox"/> | 6 | \$ 88,720.00         |
| <input type="checkbox"/> | 3 | \$ 54,640.00         | <input type="checkbox"/> | 7 | \$ 100,080.00        |
| <input type="checkbox"/> | 4 | \$ 66,000.00         | <input type="checkbox"/> | 8 | \$ 111,440.00        |

**Verification of ALL household income must be presented with completed application. If household member is not listed on tax return please list on back of form.**

☐ Income Tax Return for year \_\_\_\_\_ (No more than 12 months prior)

☐ Soc Sec Admin Statement of Benefits

☐ If self-employed please include copy of Schedule C

☐ Other: \_\_\_\_\_

\_\_\_\_\_  
**I understand that in order to continue receiving this discount I must keep my account current  
(Initial) at all times.**

*By signing below Applicant is certifying that the information submitted to the City of Central Point is accurate to the best of his/her knowledge.*

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date Submitted

### **City of Central Point Certification**

*The above named applicant has met the income eligibility requirements of the City of Central Point and has satisfactorily submitted verification of same*

☐ Approved

☐ Denied

\_\_\_\_\_  
Authorized Finance Department Signature

Date Entered into System: \_\_\_\_\_ By: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING IN PART CHAPTER 13.16.010 WATER AND UTILITY RATE  
DISCOUNTS FOR EXTREME HARDSHIP**

**RECITALS:**

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. The City finds that it is in the public interest to increase the threshold for utility rate discounts to address the impacts of increases in fees and costs on individuals living within two hundred percent of the federal poverty limit.
- C. Words ~~lined through~~ are to be deleted and words **in bold** are added.

**THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:**

SECTION 1. Section 13.16.010 Qualification for discount is amended in part to read as follows:

Any residence being served by city water, and/or subject to a parks maintenance fee, public safety fee, stormwater or water quality fee, and/or transportation utility fee and with a combined total income falling below ~~one hundred fifty percent~~ **two hundred percent** of the federal poverty guidelines as published by the Department of Health and Human Services shall be considered eligible to apply for a rate discount to each of the above-described fees. Persons applying for a water rate discount must be the person who has signed up for the water service, a water customer of the city and the occupant of the residence. For all other rate discounts, the person applying for the rate discount must be the person who receives the respective bill for which the discount is sought and the occupant of the residence. To qualify for a discount to any of the foregoing fees or water service, the applicant must not owe delinquent payments to the city for any utilities and other assessed fees and charges. (Ord. 2087 §5, 2022; Ord. 1932 §1(part), 2010).

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

**PASSED** by the Council and signed by me in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
Mayor Tanea Browning

ATTEST:

\_\_\_\_\_  
City Recorder