



*Planning Commission Meeting
(Possible Quorum of the City Council)*

Date: Wednesday, February 17, 2016
Time: **6:30 – 9:00 p.m.**
Location: Council Chambers, 680 Greenwood Street
Contact: Jordan Cogburn, 541-998-2153

A G E N D A

1. Open Meeting and Pledge of Allegiance
2. Review Agenda
3. Public Comment (for items not already on the agenda)
4. Approval of Minutes
 - January 20, 2016
5. Statement of Economic Interest Filing Updates - City Recorder Vodrup
6. Action Items (Request action by Planning Commission)
 - a) Conditional Use Permit (CUP-16-01) Manufactured Home in R4 Zone
7. Discussion Items
 - a) Planning Commission Agenda Forecaster
8. Planning Activity Report
9. Commissioner Comments
10. Adjournment

*Next Standing March 16, 2016 – Check with City for changes
Location is wheelchair accessible (WCA)*
THIS MEETING WILL BE RECORDED

I. PUBLIC HEARING PROCESS

Public Hearings will be conducted as follows:

1. Open Public Hearing
2. Declaration of Conflict of Interest, Bias, Ex Parte Contacts, and Challenges to Impartiality
3. Staff Report
4. Applicant's Presentation
5. Proponents
6. Opponents
7. Neutral Parties
8. Rebuttal of Testimony
9. Questions from the Planning Commission
10. Staff Summary
11. Close of Public Hearing
12. Deliberation and Decision by the Planning Commission

If you provide testimony, please state your name and address for the record. Testimony and evidence must be directed toward the applicable substantive criteria or other criteria believed to apply to the decision.

If you would like an opportunity to present additional evidence, arguments or testimony regarding the application at a later date, you may request during the hearing that the Planning Commission hold the record open.

Helpful Tips When Speaking Before the Planning Commission

Before the meeting begins, give a copy of any written materials to the Planning Secretary.

Please speak clearly keep in mind the meetings are recorded.

Before beginning your statement say your name and address for the record.

Speak to the Commission through the Chairperson. For example, "Mr. /Ms. Chair, members of the Commission ..."

In order to give everyone the opportunity to speak the Planning Commission may set a time limit. Out of courtesy to citizens speaking after you, please respect the time limit.

Next Standing March 16, 2016 – Check with City for changes

Location is wheelchair accessible (WCA)

THIS MEETING WILL BE RECORDED

The Planning Commission for the City of Junction City met on Wednesday, January 20, 2016 at 6:30 p.m. in the Council Chambers at City Hall, 680 Greenwood Street, Junction City Oregon.

PRESENT WERE: Planning Commissioners, Jack Sumner (Vice Chair), James Hukill, Ken Wells, Stuart Holderby and Sandra Dunn; Planning Commission Alternates, Alicia Beymer, and Patricia Phelan; City Planner, Jordan Cogburn and; Planning Secretary, Tere Andrews.

ABSENT: Planning Commissioner, Jason Thiesfeld, and Jeff Haag

I. OPEN MEETING AND REVIEW AGENDA

Vice Chair Sumner opened the meeting at 6:30 pm and led the Pledge of Allegiance.

II. CHANGES TO THE AGENDA

Planner Cogburn stated the applicant for the minor variance, file # VAR-15-02 withdrew his application, therefore, the public hearing for VAR-15-02 would not be held.

III. PUBLIC COMMENT (FOR ITEMS NOT ALREADY ON THE AGENDA)

NONE

IV. APPROVAL OF MINUTES

- December 21, 2015

Motion: Commissioner Hukill made a motion to approve the December 21, 2015 minutes as written. Commissioner Dunn seconded the motion.

Vote: Passed by a vote of 7:0:0. Vice Chair Sumner, Commissioners Dunn, Hukill, Beymer, Wells, Holderby, and Phelan voted in favor.

V. PUBLIC HEARING: VAR-15-02, MFH IN R4

Planner Cogburn explained after staff review of the application for a variance to place a manufactured home on a lot in Scandinavian Estates, it was determined it was a non-conforming use. Therefore, the applicant withdrew their variance application (file# VAR-15-02).

VI. DRAFT PLANNING COMMISSION WORK PLAN

The Commission reviewed the work plan with Planner Cogburn. Planner Cogburn gave examples of contradictory or outdated code language such as an annual sign fee or updates needed to the Flood Plain Ordinance in order to comply with current national standards. He requested feedback from the Commission.

The Commission directed staff to provide recommendations for updates/modifications to:

- 'eyes on the street' standard of 60% on stories above the ground floor
- Flood Plain Ordinance
- Sign Code conflict, projecting sign location standards versus prohibition of signs above a first floor, banner style signs
- listing of allowed uses as opposed to unpermitted uses
- create a table of zones and associated permitted uses

VII. PLANNING COMMISSION AGENDA FORECASTER

Planner Cogburn said the City Administrator developed the Agenda Forecaster format. The City Council had already moved to the Agenda Forecaster format. Staff had been directed to use the Agenda Forecaster for committees and the Planning Commission. Items from the Planning Commission work plan had been moved to the Agenda Forecaster. The forecaster would be included with the Planning Commission packets each month. There was also now an agenda item request form. The Commission was favorable toward the Agenda Forecaster format.

VIII. PLANNING REPORT

Planner Cogburn reviewed the December, 2015 Planning Report.

IX. COMMISSIONER COMMENTS

Commissioner Hukill liked the efficiency of the Agenda Forecaster

Commissioners Holderby and Wells liked the Agenda Forecaster.

Commissioners Dunn and Phelan voiced their appreciation for Planner Cogburn.

Vice Chair Sumner was concerned about speeds on High Pass Road/W 1st Avenue and congestion in the parking lot at W 17th Avenue and Ivy Street (RV Park).

Commissioner Phelan agreed with Vice Chair Sumner's concern about speeds on High Pass Road/W 1st Avenue.

Vice Chair Sumner asked about the status of AMD-15-02.

VIII. ADJOURNMENT

Motion: Commissioner Hukill made a motion to adjourn the meeting. Commissioner Dunn seconded the motion.

Vote: Passed by a vote of 7:0:0. Vice Chair Sumner, Commissioners Dunn, Hukill, Beymer, Wells, Holderby, and Phelan voted in favor.

The meeting adjourned at 7:32 p.m.

The next regularly scheduled Planning Commission meeting would be Wednesday February 17, 2016 at 6:30 p.m.

Respectfully Submitted,

Tere Andrews, Planning Secretary

Jack Sumner, Planning Commission Vice-Chair

JUNCTION PLANNING COMMISSION

AGENDA ITEM SUMMARY



State of Economic Interest Filing Update

Meeting Date: February 17, 2016
Department: Administration
www.junctioncityoregon.gov

Agenda Item Number: 5
Staff Contact: City Recorder Kitty Vodrup
Contact Telephone Number: 541-998-2153

ISSUE STATEMENT

This is an information update on a new electronic filing system that the state is requiring for filing the annual Statement of Economic Interest forms. No action is needed by the Planning Commissioners at this time, and I will provide and review documentation at the Planning Commission meeting.

BACKGROUND

Oregon Revised Statutes Chapter 244 requires certain City officials to file a Statement of Economic Interest (SEI) with the Oregon Governments Ethics Commission (OGEC) by April 15th of each year. The list of city officials includes: Municipal Court Judges, elected officials, City Managers or Administrators, and Planning Commission members.

In the past, filings were completed via mail, using paper forms. New for 2016:

- SEI filers will no longer use paper forms, but will be required to use the Electronic Filing System (EFS) on the OGEC website.

RELATED CITY POLICIES

- None

CITY ADMINISTRATOR'S COMMENT

The City Administrator has no comments to add.

ATTACHMENTS

- None

FOR MORE INFORMATION

Staff Contact: Kitty Vodrup, City Recorder
Telephone: 541-998-2153
Staff E-Mail: kvodrup@ci.junction-city.or.us



JUNCTION PLANNING COMMISSION

AGENDA ITEM SUMMARY

Conditional Use Permit (CUP-16-01) O'Connell

Meeting Date: February 17, 2016
Department: Planning
www.junctioncityoregon.gov

Agenda Item Number: 6a
Staff Contact: Jordan Cogburn
Contact Telephone Number: 541-998-4763

ISSUE STATEMENT

The Applicant, Michael O'Connell, has submitted a Conditional Use Permit application to request that a Manufactured Home be considered for placement on Lot 4 of the Scandinavian Estates Subdivision (Map Lot 15-04-30-13-01300).

BACKGROUND

The subject property is designated High Density Residential (HDR) on the City's 2012 Plan Designation Map and zoned R4 (Multi-Structural Residential) on the current Zoning Map. As part of Ordinance 1116, adopted in 2003, the Manufactured Homes were stricken from the list of Uses Permitted Outright in the R4 Zoning District, creating a non-conforming use for all existing homes within the Scandinavian Estates Subdivision. Additionally, Conditional Uses allowed in the R3 are permitted conditionally in the R4 Zone under JCMC 17.25.020. This however, does not include Manufactured Homes, as Manufactured Homes were also removed from the list of Conditional Uses in the R3 Zone as part of Ordinance 1116 adoption.

Prior to adoption of Ordinance 1116, Ordinance 950, allowed Manufactured Homes as an Outright Permitted Use in the R4 zone under Section 27, subject to Section 28. Section 28 set the provisions for Manufactured Homes:

- 1. It shall be multi-sectional and enclose a space of no less than 1,000 square feet.*
- 2. The dwelling shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured dwelling is located not more than 12 inches above grade.*
- 3. The dwelling shall have a pitched roof of at least one foot in height for every three feet of width.*
- 4. Exterior siding and roofing shall be similar in color~ material, and appearance to that of surrounding dwellings.*
- 5. The exterior thermal envelope which shall meet performance standards required of single family dwellings built under the state building codes.*
- 6. The dwelling shall provide on-site covered parking consistent with the predominant construction patterns of immediately surrounding dwellings.*

In 2003 Ordinance 1116 was adopted which amended Ordinance 950. Among the amendments was the removal of Manufactured Homes as an Outright Permitted Use in the R4 Zone, and under Section 22, removal of Manufactured Homes as a Conditional Use in the R3 zoning district. Thus, the entire Scandinavian Estates Subdivision became a non-conforming use. As a non-conforming use, it is subject to the provisions of JCMC 17.125.

TABLE 1. TIMELINE OF RELEVANT CITY ACTIONS

Date	Action	Description	Result	Source
2003	AMD-03-01	Ordinance 1116 adopted amending Section 22, removing Manufactured Homes from the list of Conditional uses in R3, and Section 27, removing Manufactured Homes from the list of Conditional uses in R4.	The Scandinavian Estates subdivision becomes a non-conforming use	Ordinance 1116
2012	Comprehensive Plan Update	The City established a High Density Residential Plan Designation and made corresponding plan map changes.	Policy 8a: The City of Junction City shall allow manufactured homes, as defined in ORS 446.003(25)(a)(C), within all residential zones that allow 10 or fewer dwelling units per net buildable acre.	The Junction City Comprehensive Plan, adopted September 12, 2012.

FINDINGS

The current application is for a Conditional Use to allow for the placement of a Manufactured Home within a residential zone that does not permit such a use. Under Policy 8a within the Housing Element of the adopted Junction City Comprehensive Plan, the proposed use shall be a permitted use since the R4 Zoning district has no maximum lot size restriction. The subject parcel is roughly 6,000 square feet in area, resulting in a lot size equivalent to 7.26 dwelling units per acre. Further division of the parcel could result in two Townhome parcels with a 17.42 dwelling unit per acre equivalent. However, as part of the recorded Plat for the Scandinavian Estates Subdivision, a Deed Restriction was recorded with Lane County Deeds and Records, Document #9315085 (1993), stating:

A, RESTRICTIONS TO USE FOR RESIDENTIAL PURPOSES.

Lots restricted to single family dwellings only. No duplexes or multi-family dwellings are allowed. All lots are restricted to residential use (built-on-site homes, manufactured homes or modular homes). Trailer homes are not considered as being manufactured homes and they are not allowed.

While the pre-existing non-conformance falls within the acceptable range for single family lot size standards, there are no proposed lot size alterations as part of this application. Therefore, under JCMC 17.125.010, the subject parcel may be continued and maintained as it's originally platted use.

RELATED CITY POLICIES

Junction City Comprehensive Plan (2012)

Chapter 9: Housing Element, Policy 8

Junction City Municipal Code (JCMC)

JCMC 17.25 Multi-Structural Residential Zone (R4)

JCMC 17.125 Non-Conforming Uses

JCMC 17.130 Conditional Uses

CITY ADMINISTRATOR’S COMMENT

The City Administrator requests that the Planning Commission follow process for review of the materials as presented.

PLANNING COMMISSION OPTIONS

1. Approve the Conditional Use Permit application to allow for the placement of a Single Family Manufactured Home on Lot 4 of Scandinavian Estates based on the proposed findings.
2. Approve the Conditional Use Permit application to allow for the placement of a Single Family Manufactured Home on Lot 4 of Scandinavian Estates based on modifications to the proposed findings.
3. Deny the Conditional Use Permit application for the placement of a Single Family Manufactured Home on Lot 4 of Scandinavian Estates with findings to support the denial.
4. Table the item, direct Staff to provide more information and return to the next available meeting.

SUGGESTED MOTION

“I make a motion to approval/approve with conditions/deny/table the proposed Conditional Use Permit File: CUP-16-01 to allow for the placement of a Single Family Manufactured Home on Lot 4 of Scandinavian Estates.”

ATTACHMENTS

- A. Application Materials
- B. Staff Report

FOR MORE INFORMATION

Staff Contact: Jordan Cogburn
Telephone: 541-998-4763
Staff E-Mail: jcplanning@ci.junction-city.or.us



GENERAL LAND USE APPLICATION

City of Junction City
680 Greenwood Ave/PO Box 250
Junction City, OR 97448
Phone: 541-998-2153
Fax: 541-998-3140
www.junctioncityoregon.gov

VAR-15-02

Type of Application: (May require a supplemental application to be attached and/or additional documentation)

Annexation	Development Review	Rezone (Zone Change)
Comprehensive Plan Amendment Map _____ Text _____	Pre-Application Meeting	Subdivision: Preliminary _____ Final _____
Conditional Use Permit	Partition: Preliminary _____ Final _____	Temporary Use Permit
Variance: Major <input checked="" type="checkbox"/> Minor _____	Vacation	Other:

LOCATION OF PROPERTY OR ADDRESS:
Lot 4 SCANDINAVIAN ESTATES

SIZE OF PROPERTY(S): APPROX 5000 ±	ASSESSOR'S MAP AND TAX LOT #: 15-04-32-13 TAX LOT 01300
PRESENT USE:	PROPOSED USE:

BRIEF SUMMARY OF ACTION REQUESTED:
CREATE A VARIANCE TO ALLOW PLACEMENT OF A MANF HOME

NAME OF PROPERTY OWNER: Michael R. O'Connell SR

ADDRESS: [REDACTED], EUGENE, OR. 97405

PHONE: [REDACTED] **E-MAIL:** [REDACTED]

NAME OF APPLICANT: SAME AS ABOVE

ADDRESS:

PHONE: **E-MAIL:**

NAME OF CONTACT: SAME AS ABOVE

ADDRESS:

PHONE: **E-MAIL:**

ATTACHMENT(S): Yes No _____

I have the following legal interest in the property (Please check one):
Owner of Record Lessee _____ Holder of an exclusive Option to Purchase _____ Contract Purchase _____

Per Resolution 862: All direct costs for contracted city staff shall be charged monthly to the applicant in the amount billed to City. Contracted staff includes, but are not limited to, city engineer, city attorney, building inspector, traffic consultant, wetlands specialist. Direct costs 30 days past due shall be charged 9% interest in addition to the amount billed to the City.

I hereby certify that the foregoing statements and other information attached hereto are true and accurate to the best of my knowledge and belief. I also agree to pay all direct costs associated with processing this land use application.
Owner's Signature: [REDACTED] Date: 12/14/15

(2)

Junction City
Planning & Zoning
C/O Jordan Cogburn
City Planner

Dear Jordan,

I am herewith applying for a Major Variance. The subject property is known as ; Lot 4, Scandinavian Estates as P&R in file 73, slide 315-316 Lane County Plat Records, Lane County Oregon. The map & tax lot is 15-04-32-13 Tax Lot 01300. It is currently a vacant lot.

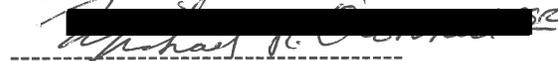
My intention, if this variance is approved, is to put a new manufactured home on the lot. The current zoning is R-4, (multi-family residential). Apparently, this zoning no longer allows manufactured homes.

The subject property is the only vacant lot in a manufactured home subdivision, (see attached plat map). The installation of a manufactured home on this lot is the only really practical use of the lot.

The construction of an R-4 multi family structure on this lot would be a non-conforming use for the neighborhood and highly inconsistent with the surrounding dwellings. Further this subdivision is limited to, (deed restricted) to "single family dwellings only", "no duplexes or multi-family dwellings allowed". Manufactured Homes are allowed. See attached CC&R's for more.

I appreciate your time & consideration in this matter. I look forward to a successful variance that works well for everyone. Thank you

Signed



Michael R. O'Connell sr 12/14/15

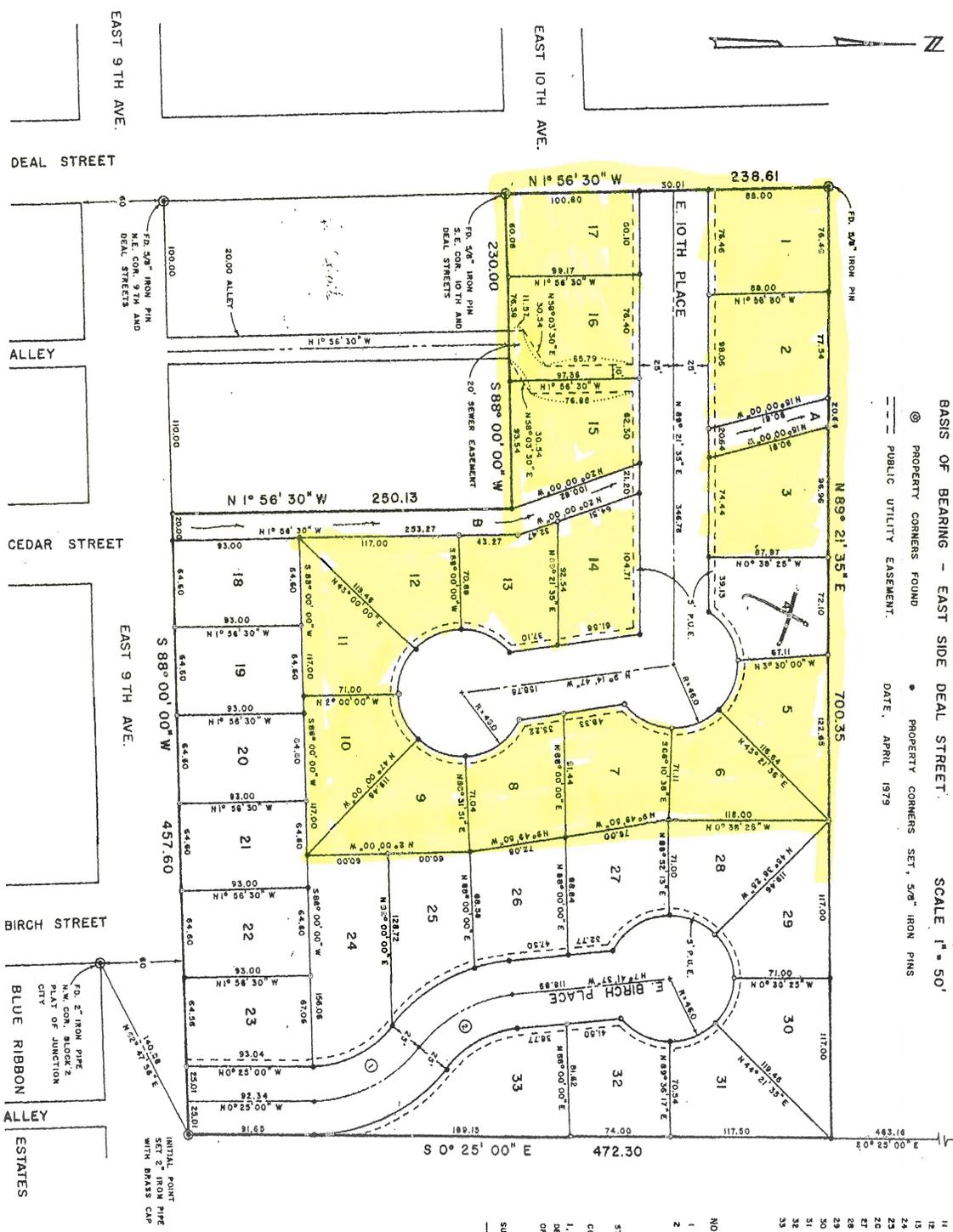
Attachments

1. Check, in the amount of \$ 650.00
2. General land use application
3. Copy of "Scandinavian Estates" map
4. Page one of CC & R's Scandinavian Estates

SCANDINAVIAN ESTATES

N.E. 1/4, SECTION 32, T15S, R4W, WM.
JUNCTION CITY, LANE COUNTY, OREGON

SCALE 1" = 50'
BASIS OF BEARING - EAST SIDE DEAL STREET
PROPERTY CORNERS FOUND
PROPERTY CORNERS SET, 5/8" IRON PINS
PUBLIC UTILITY EASEMENT
DATE, APRIL 1979



FILED
AT 070000
DECL 10 1979
JUNCTION CITY, OREGON

FILE 73 SLIDE 3/5

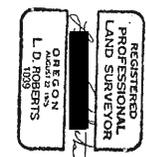
LOT	BEARING	CHORD	RADIUS
1	N 89° 21' 35" E	41.92	46.00
2	S 89° 07' 59" E	38.05	46.00
3	S 21° 24' 21" E	54.28	46.00
4	S 29° 37' 57" E	35.15	46.00
5	S 10° 45' 54" E	49.97	46.00
6	S 42° 50' 00" W	34.29	46.00
7	S 69° 00' 00" W	33.21	46.00
8	N 22° 30' 59" W	33.21	46.00
9	N 22° 34' 58" E	38.76	46.00
10	N 39° 47' 05" W	65.53	73.00
11	N 137° 20' 55" W	72.19	123.00
12	N 32° 27' 02" W	24.63	46.00
13	N 21° 34' 58" E	35.17	46.00
14	N 68° 21' 53" E	35.21	46.00
15	S 89° 08' 23" E	35.21	46.00
16	S 23° 01' 01" E	35.23	46.00
17	S 29° 23' 39" W	38.72	46.00
18	S 30° 07' 31" E	37.23	46.00
19	S 28° 29' 32" E	108.89	123.00 (1)

STREET CURVE DATA
NO BEARING CHORD RADIUS DELTA
1 N 28° 29' 32" W 07.01 100.00 82.08 04° L
2 N 30° 07' 31" W 78.33 100.00 44° 32' 27" R

STATE OF OREGON)
COUNTY OF LANE) 53
I, LESLIE D. ROBERTS, BEING FIRST DULY SWORN,
DEPOSE AND SAY THAT THIS IS AN EXACT COPY
OF THE FINAL PLAT AS SHOWN.

Leslie D. Roberts
Notary Public for Oregon
Commission Expires 3-11-80

SUBSCRIBED AND SWORN TO BEFORE ME THIS
5th DAY OF December, 1979



9315085

DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS
AND RESTRICTIONS

OF

SCANDINAVIAN ESTATES

3466MAR.11'93W04REC

5.00

The undersigned Declarant is the owner of all of the real property described herein, and does hereby state as follows:

The following easements, covenants, conditions and restrictions upon the ownership, use, enjoyment, sale, transfer and conveyance of the premises described below, shall constitute covenants running with the land and shall be binding upon all parties and persons claiming under them and for the benefit of and limitation upon all future owners acquiring any right, title, interest or estate in the following described property, or any portion thereof, to wit:

3466MAR.11'93W04PFUND

10.00

Lots 1 through 33, inclusive, Scandinavian Estates Subdivision as platted and recorded in File 73, Slide 315-316, Lane County Oregon Plat Records, Lane County, Oregon.

A. RESTRICTIONS TO USE FOR RESIDENTIAL PURPOSES.

Lots restricted to single family dwellings only. No duplexes or multi-family dwellings are allowed. All lots are restricted to residential use (built-on-site homes, manufactured homes or modular homes). Trailer homes are not considered as being manufactured homes and they are not allowed.

3466MAR.11'93W04REC

25.00

B. DWELLING SIZE.

The floor area of a dwelling, exclusive of open porches, patios, breezeways, garages and carports, shall contain a minimum of 1,000 square feet.

3466MAR.11'93W04A&T FUND

20.00

C. PROHIBITION OF CERTAIN STRUCTURES AND ACTIVITIES.

No structure of a temporary character, trailer, basement, partly finished house, shack, garage, barn or other out-building shall be used on any lot at any time as a residence either temporarily or permanently. All structures, additions or alterations shall be completed in not less than six months from a starting date. Open carports shall not be used for storage other than that enclosed by wall of the structure.

No noxious or offensive trade shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Parking of heavy duty vehicles on streets or lots shall be deemed a nuisance.

After recording return to:

DON LEMKE

~~725~~

72
25
10
20

70/25
10
22
9315085

DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS
AND RESTRICTIONS

OF

SCANDINAVIAN ESTATES

3425MAR.11'93H04REC

5.00

The undersigned Declarant is the owner of all of the real property described herein, and does hereby state as follows:

The following easements, covenants, conditions and restrictions upon the ownership, use, enjoyment, sale, transfer and conveyance of the premises described below, shall constitute covenants running with the land and shall be binding upon all parties and persons claiming under them and for the benefit of and limitation upon all future owners acquiring any right, title, interest or estate in the following described property, or any portion thereof, to wit:

3425MAR.11'93H04PFUND

10.00

Lots 1 through 33, inclusive, Scandinavian Estates Subdivision as platted and recorded in File 73, Slide 315-316, Lane County Oregon Plat Records, Lane County, Oregon.

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B. DWELLING SIZE.

3425MAR.11'93H04REC

25.00

The floor area of a dwelling, exclusive of open porches, patios, breezeways, garages and carports, shall contain a minimum of 1,000 square feet.

3425MAR.11'93H04A&T FUND 20.00

C. PROHIBITION OF CERTAIN STRUCTURES AND ACTIVITIES.

No structure of a temporary character, trailer, basement, partly finished house, shack, garage, barn or other out-building shall be used on any lot at any time as a residence either temporarily or permanently. All structures, additions or alterations shall be completed in not less than six months from a starting date. Open carports shall not be used for storage other than that enclosed by wall of the structure.

No noxious or offensive trade shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Parking of heavy duty vehicles on streets or lots shall be deemed a nuisance.

After recording return to:

DON LEMKE

~~25~~

Declarations - 1



City of Junction City Planning and Building Department
680 Greenwood Street / P.O. Box 250
Junction City, Oregon 97448
Ph: 541.998.4763 / fax: 541.998.3140
jcplanning@ci.junction-city.or.us
www.junctioncityoregon.com

FINDINGS OF THE JUNCTION CITY PLANNING DEPARTMENT:

CONDITIONAL USE STAFF REPORT FOR O'CONNELL MFH PLACEMENT PROPOSAL (CUP-15-01)

Application Summary:

Conditional Use application to allow the placement of a Manufactured Dwelling in the Scandinavian Estates Subdivision.

Owner(s)/Applicant(s):

Mike O'Connell, 84936 Peaceful Valley Rd, Eugene, OR 97405, (541) 953-7332

Lead City Staff:

Jordan Cogburn, City Planner, Junction City Planning Department, (541) 998-4763

Subject Property/Zoning/Location:

Tax Lot 1300 of Assessor's Map 15-04-32-13, Zoned R4, Multi-structural Residential, located at the northwest corner radius of the W 10th Place Cul-De-Sac.

Relevant Dates:

Application originally submitted on January 6, 2016; deemed complete on January 20, 2015; decision granting approval issued on June 23, 2015.

Associated Files:

Major Variance (VAR-15-02) - Withdrawn January 5, 2016

REQUEST

The applicant is requesting a Conditional Use Major Alteration to place a Manufactured Dwelling structure at the northwest corner of the W. 10th Place Cul-De-Sac. Specifically, per section 17.125.030(B), the Planning Commission may approve a proposal for any alteration of a pre-existing Non-Conforming Use greater than 10 percent of the total square footage of the nonconforming use or structure, subject to the provisions for conditional use permits.

Public Notice and Referrals:

JCMC 17.150.080 (B) states:

“With the exception of Type IV applications, notice of hearing or contemplated land use action shall be mailed to the applicant and to all owners and abutting property owners, including owners of property which would be abutting if there were not intervening streets, of the property which is the subject of the notice. In addition, notice shall be provided to all owners of record of property on the most recent property tax assessment roll within 300 feet of the subject property. Notice shall be mailed at least 20 days before the date of the hearing or review.”

On January 21, 2016, staff mailed a notice of public hearing to the applicant, property owners and residents within 300 feet of the subject site. To date no public comments have been received. A copy of the notice is included as an attachment.

Referral comments on the application were also requested from various affected service providers and City departments. Referral comments received include:

- Clair Co., Junction City Building Official, dated February 4, 2016

All referral comments received by the Planning Department on this application are attached to this report and included in the application file for reference. Additionally, comments are addressed in the context of applicable Non-Conforming and Conditional Use approval criteria and standards in the following evaluation.

General Property Information:

The subject parcel (Lot 4) is included in the recorded plat of the Scandinavian Estates Subdivision, filed December 18, 1979. A deed restriction for the Scandinavian Estates Subdivision, Document #9315085 recorded March 11, 1993, states:

Lots 1 through 33, inclusive, Scandinavian Estates Subdivision as platted and recorded in File 73, Slide 315-316, Lane County Plat Records, Lane County, Oregon.

A. RESTRICTIONS TO USE FOR RESIDENTIAL PURPOSES.

Lots restricted to single family dwellings only. No duplexes or multi-family dwellings are allowed. All lots are restricted to residential use (built-on-site homes, manufactured homes or modular homes). Trailer homes are not considered as being manufactured homes and they are not allowed.

The parcel is currently zoned R4, Multi-structural Residential, and designated as High Density Residential on the Comprehensive Plan Map. Junction City Ordinance 1116, signed June 24, 2003, removed Manufactured Dwellings from the list of Uses Permitted Outright in the R4 Zoning District, ultimately creating Non-Conforming Uses for the entire Subdivision as all developed lots within the subdivision are occupied by Manufactured Dwellings. The subject parcel has remained vacant since the original recording of the stated plat, therefore maintaining the pre-existing non-conformance. The applicant believes that all requirements are satisfied and requests that the Planning Commission approve the Conditional Use application.

Additional details of the proposal are included in the applicant's Non-Conforming Use Verification application, and are further addressed in the applicant's written statement and supporting documentation, all of which are included as part of the public record and located in the application file for reference. The following evaluation addresses details of the proposal in the context of compliance with the applicable approval criteria and related standards.

Evaluation

The following findings demonstrate that the proposed development will comply with all applicable approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC). Relevant application requirements and approval criteria are addressed at JCMC 17.125 Non-Conforming Uses,

17.130 Conditional Uses, and JCMC 17.25 R4 Multi-Structural Residential. The following evaluation includes findings of compliance with the applicable criteria and related standards as provided in the JCMC, with informational items noted where appropriate. The approval criteria and related standards are listed below in **bold**, with findings addressing each.

JCMC CHAPTER 17.125 NON-CONFORMING USES

17.125.060 Criteria to grant or deny

When reviewing any request to alter or restore a nonconforming use, in addition to the conditional use criteria, it shall be determined that all of the following are found to exist:

- A. The nature and character of the proposed use are substantially the same as that for which the structure was originally designed;**
 - B. There is no material difference in the quality, character, or degree of use; and**
 - C. The proposed use will not prove materially adverse to surrounding properties.**
- [Ord. 950 § 96, 1991.]**

Finding: The pre-existing non-conforming lot was originally platted in 1979 at which time Manufactured Dwellings were allowed as a Use Permitted Outright in the R4 Zoning District. A deed restriction recorded March 11, 1993 restricted development to single family dwellings. The proposal is for a single family Manufactured Dwelling. As presented, the proposal to alter the pre-existing non-conforming use is substantially the same as the original design, there is no material difference in the quality, character, or degree of use, and the use will not adversely affect surrounding properties. Therefore, these criteria have been met.

JCMC 17.130 CONDITIONAL USES

17.130.030 Public hearing on conditional use.

A. Before the planning commission may act on a request for a conditional use, it shall hold a public hearing. The hearing shall be held within 40 days after the application for the conditional use is filed. Notice of the hearing and criteria for granting or denying a permit shall be as follows:

See JCMC 17.150.080, Notice.

B. Based on the testimony provided at the hearing, the planning commission shall develop findings of fact to justify either approving or denying a conditional use permit. The planning commission may approve such requests when it is determined the request is in conformance with all the following requirements:

- 1. The proposal is in conformance with the zoning ordinance;**
- 2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission;**
- 3. Public facilities are of adequate size and quality to serve the proposed use; and**
- 4. The proposed use will prove, or can be made to be through imposing conditions, reasonably compatible with surrounding properties. [Ord. 1037§ 1, 1997; Ord. 950 § 100, 1991.]**

Finding: The proposal is considered as a pre-existing non-conforming use in the R4 - Multi-Structural Zoning District. The existing parcel is roughly 6,100 square feet in size. There is currently no minimum lot size requirement in the R4 zoning district. However, zoning districts that allow for single family homes as uses permitted outright have a minimum lot size of 6,000 square feet. Therefore, the parcel is adequate in size and shape to accommodate the proposed use. The Public Works director has stated that city services are of adequate size and quality to serve the proposed use. All surrounding properties are occupied by Manufactured Dwellings, which prove compatible with the proposed use. Therefore, these criteria have been met.

JCMC 17.25 MULTI-STRUCUTRAL RESIDENTIAL ZONE (R4)

17.25.030 Supplemental Standards.

All uses and structures in the R4 zone other than manufactured dwelling parks shall comply with all of the standards listed in the R3 zone, JCMC Chapter 17.20. [Ord. 1116 § 1, 2003; Ord. 950 § 29A, 1991.]

JCMC 17.20 MULTI-FAMILY RESIDENTIAL ZONE (R3)

17.20.030 Development review.

In an R3 zone, development review by the city administrator or designee shall be required to ensure compliance with JCMC 17.20.050 through 17.20.140 regarding R3 standards.

A. Uses Requiring Development Review. Development review shall be required for the following uses:

- 1. Townhomes;**
- 2. Multifamily buildings;**
- 3. Neighborhood commercial buildings;**
- 4. Residential care homes and residential care facilities.**

The proposal is for the placement of a Manufactured Dwelling, a single family use. Therefore, Development Review is not required.

17.20.040 Lot size.

In an R3 zone, the lot size shall be as follows:

A. For multiple-family dwellings, residential care homes, and residential care facilities the minimum lot area shall be 7,500 square feet. The minimum lot width at the front building line shall be 50 feet, and 35 feet for cul-de-sac lots.

B. For townhomes (single-family attached or row houses) the minimum lot area shall be 2,500 square feet per unit. The minimum lot width at the front property line shall be 25 feet.

C. For neighborhood commercial uses, the minimum lot area shall be 5,000 square feet. The minimum lot width at the front property line shall be 60 feet. The minimum lot area for two-family dwellings (duplexes) shall be 5,000 square feet. The minimum lot width at the front property line shall be 50 feet and 35 feet for cul-de-sac streets. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 23, 1991.]

The subject parcel is a pre-existing lot within a platted subdivision. The parcel is 6,098 Square feet in area. Lot size standards for Single Family Dwellings in zones which allow such uses range from 5,000 to



CITY OF JUNCTION CITY

680 Greenwood/P.O. Box 250
Junction City, OR 97448
Ph: 541-998-2153 /Fx: 541-998-3140
www.junctioncityoregon.gov

PLANNING ACTION REFERRAL
REQUEST FOR COMMENTS

Date: January 21, 2016
From: Jordan Cogburn, City Planner, jcplanning@ci.junction-city.or.us

Date Mailed	Referral Agency	Response
	Junction City Administrator	
	Junction City Public Works	
	Junction City Police	
	Junction City Community Services	
	Junction City Finance Department	
	Junction City, City Recorder	
	Junction City Building Official	
	Junction City Rural Fire Protection District	
	Junction City School District	
	Junction City Water Control District	
	Lane Council of Governments	
	US Postmaster for Junction City	
	Verizon	
	Century Link Engineering	
	Comcast Serviceability	
	Emerald People Utility District	
	Pacific Power	
	NW Natural	

File #: CUP-16-01

Applicant: Michael O'Connell Sr

Property Owner: Michael O'Connell Sr.

Property Location: Scandinavian Estates Lot 4, on E 10th Place

Assessors Map & Lot: 15-04-32-13-01300

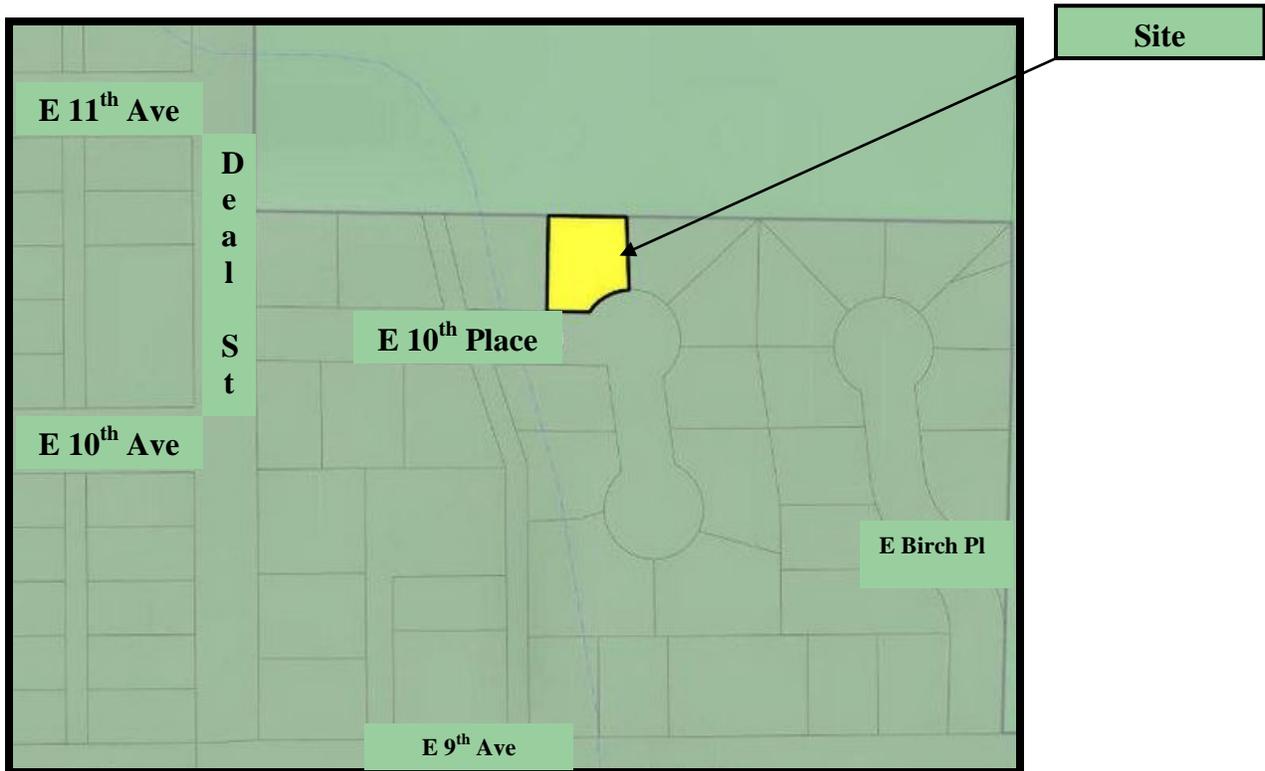
Property Area: .14 acres

Zoning District: R4 (Multi-Structural Residential)

This is a request for review of a Conditional Use Permit to allow a Manufactured Home placement in Scandinavian Estates. an R4 zoning.

This notice is being sent to you for your review, comment, and conditioning. In order for your comments to be included in the staff report, please have your comments in our office by **5:00 p.m. on Thursday, February 4, 2016. Comments may be submitted:** by mail to PO Box 250, Junction City Oregon, 97448; fax to 541.998.3140; or e-mail to jcplanning@ci.junction-city.or.us

_____ We are not affected by the proposal.
_____ We have reviewed the proposal and have no comments.
_____ Our comments are attached.
_____ Our comments are:



**JUNCTION CITY
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
AND OPPORTUNITY TO COMMENT**

January 21, 2016

The Junction City Planning Commission will hold a public hearing on **Wednesday, February 17, 2016 at 6:30 pm, at City Hall, 680 Greenwood Street** to take testimony on the following land use application.

NATURE OF APPLICATION	Conditional Use Permit
APPLICABLE CRITERIA	Junction City Municipal Code Chapter 17.25, 17.125 and 17.130
APPLICANT/OWNER	Michael O'Connell, Sr.
LOCATION	North side of East Tenth Place, between 346 and 410 E. 10 th Place
ASSESSORS MAP & TAX LOTS	15-04-32-13-01300
ZONING	R4 (Multi-Structural Residential)
FILE NUMBER	CUP-16-01
PROPOSAL	Placement of a single-family manufactured home in an R4 zone
STAFF CONTACT	Jordan Cogburn, City Planner, jcplanning@ci.junction-city.or.us or 541.998.4763

The purpose of this notice is to provide an opportunity to comment and express concerns you may have related to the approval criteria, prior to the Planning Commission's decision to approve or deny the proposal.

Citizens may present testimony for or against the requested annexation by submitting written comments or by giving oral testimony at a public hearing on **Wednesday, February 12, 2014 at 6:30 p.m.**

If you would like your written comments to be included in the staff report, they must be submitted to City Hall by **by 5:00 p.m. on Friday, February 5, 2016**. Written comments may be submitted:

- in person at Junction City, City Hall at 680 Greenwood Street weekdays between of 8:00am and 5:00pm;
- by mail to City Planner, City of Junction City, PO Box 250, Junction City OR, 97448;
- by fax to (541) 998-3140; or
- by e-mail to jcplanning@ci.junction-city.or.us

Your comments are important and will greatly improve the decision making process, but please note that you will not receive an individual response to information submitted. By law, comments received that are not related to the approval criteria may not be considered.

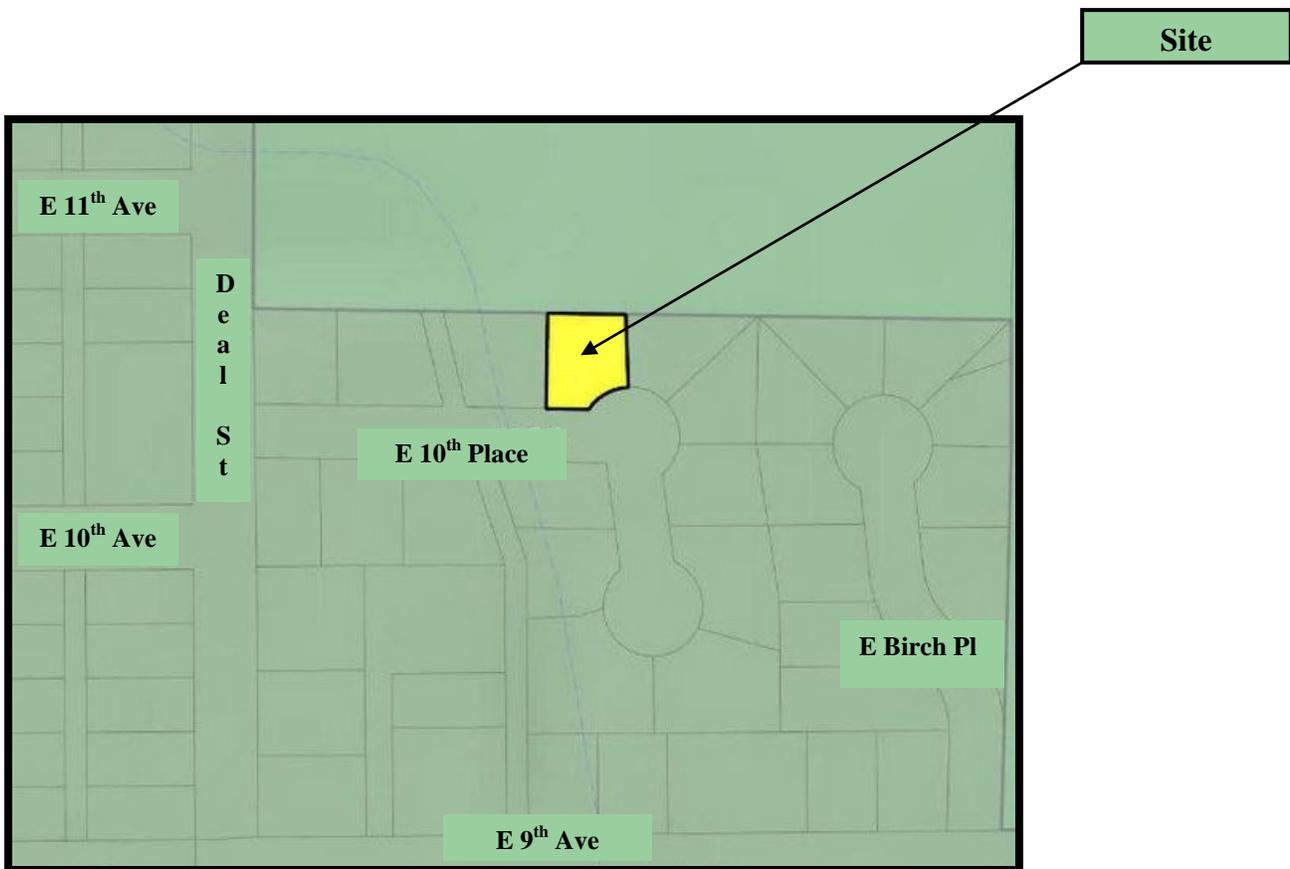
The Planning Commission will review the request for compliance with applicable criteria based upon information in the application, the staff report and comments received and make a recommendation to the City Council.

Approval of the proposed annexation must include affirmative findings that are consistent with the Zoning Code and provisions of the Comprehensive Plan.

The staff report will be available for review at City Hall seven (7) days prior to the public hearing. Copies of the applicable municipal code, the staff report, and related documents can be reviewed at City Hall or purchased for the cost of copying. The Junction City Municipal Code is available on the city's website at www.junctioncityoregon.gov. The public hearing will follow the city's land use hearing rules of procedure.

Failure to raise an issue at this opportunity for comment or hearing, in person or by letter, or failure to provide statements or evidence related to an issue sufficient to afford the decision maker an opportunity to respond to the issue, precludes reliance on that issue in any later appeal of the decision that will be made after consideration of the statements and evidence submitted, including an appeal to the Oregon Land Use Board of Appeals based on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the decision maker to respond to the issue precludes an action for damages in circuit court.

Notice to mortgagee, lienholder, vendor, or seller: the Junction City Development code requires that if you receive this notice, it shall be promptly forwarded to the purchaser.



JUNCTION CITY PLANNING COMMISSION NOTICE OF PUBLIC HEARING Wednesday, February 17, 2016 at 6:30pm, City Hall, 680 Greenwood. NATURE OF APPLICATION: Conditional Use Permit; APPLICABLE CRITERIA: Junction City Code 17.25, 17.125 and 17.130; APPLICANT/OWNER: Michael O'Connell, Sr; SITE: Vacant lot between 346 & 410 E. 10th Pl; MAP & TAX LOT: 15-04-32-13-01300; ZONING: Multi-Structural Residential; FILE#: CUP-16-01; PROPOSAL: Place single-family manufactured home in an R4 zone; STAFF CONTACT: Jordan Cogburn, City Planner, jcplanning@ci.junction-city.or.us or 541.998.4763. The purpose of this notice is to provide an opportunity to comment and express concerns you may have related to the approval criteria, prior to the Planning Commission's decision to approve or deny the proposal. Citizens may present testimony for or against by submitting written comments or by giving oral testimony at the public hearing. To be included in the staff report, submit written comment by 5pm, February 5, 2016. Written comments may be submitted: At City Hall, 680 Greenwood St M-F, 8am to 5pm; mailed to City Planner, City of Junction City, PO Box 250, Junction City OR, 97448; faxed to 541-998-3140; or e-mailed to jcplanning@ci.junction-city.or.us. The Planning Commission will review the request for compliance with applicable criteria based upon information in the application, the staff report and comments received and make a decision. Approval of the proposal must include affirmative findings that are consistent with the Zoning Code and Comprehensive Plan. The staff report will be available for review at City Hall 7 days prior to the public hearing. Copies of the applicable municipal code, the staff report, and related documents can be reviewed at City Hall or purchased for the cost of copying. The Junction City Municipal Code is available on the city's website at www.junctioncityoregon.gov. The public hearing will follow the city's land use hearing rules of procedure. Failure to raise an issue at this opportunity for comment or hearing, in person or by letter, or failure to provide statements or evidence related to an issue sufficient to afford the decision maker an opportunity to respond to the issue, precludes reliance on that issue in any later appeal of the decision that will be made after consideration of the statements and evidence submitted, including an appeal to the Oregon Land Use Board of Appeals based on that issue. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the decision maker to respond to the issue precludes an action for damages in circuit court.



PLANNING COMMISSION

AGENDA FORECASTER

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CURRENT BUSINESS ITEMS

Current Business Items

Item Conditional Use Permit CUP-16-01 (O'Connell)

Requested By Staff

Date Last at Commission N/A

Current Agenda Item Number 6.a

Item Description

Conditional Use Permit application to allow the placement of a Manufactured Home within Scandinavian Estates Subdivision (Lot 4).

Current Status/Update

Planning Commission review

Item Commission Agenda Forecaster Review

Requested By Staff

Date Last at Committee January, 2016

Current Agenda Item Number 7.a

Item Description

Monthly update on the Planning Commission Agenda Forecaster

Current Status/Update

Staff seeks direction in regard to pending/future items

CURRENT BUSINESS ITEMS

<u>Item</u>	January Planning and Building Report
<u>Requested By</u>	Staff
<u>Date Last at Committee</u>	December, 2015
<u>Current Agenda Item Number</u>	8
<u>Item Description</u>	Monthly update on the Planning Department progress and Building Department permit report
<u>Current Status/Update</u>	All Items are current

PENDING BUSINESS ITEMS

Pending Business Items

<u>Item</u>	Light Industrial (M1) Zoning District Text Amendments
<u>Requested By</u>	Planning Commission
<u>Staff Contact</u>	Planner Cogburn
<u>Date Last at Commission</u>	2013

Item Description

Revisions to allow small scale retail uses in the M1 zone

Current Status/Update

Item 13-06 of the Planning Commission work plan

<u>Item</u>	35-Day Noticing Requirement
<u>Requested By</u>	Planning Commission
<u>Staff Contact</u>	Planner Cogburn
<u>Date Last at Commission</u>	2013

Item Description

Updating notice requirements (such as the shortened 35 day period now applicable to Dept. of Land Conservation and Development (DLCD) notices and notices under Measure 56)

Current Status/Update

Item 13-08B of the Planning Commission work plan

PENDING BUSINESS ITEMS

Item Public Hearing Procedure Text Update
Requested By Planning Commission
Staff Contact Planner Cogburn
Date Last at Commission 2013

Item Description

Revising the public hearing procedures in JCMC 17.150.090 to clarify the difference between legislative and quasi-judicial hearing processes

Current Status/Update

Item 13-08C of the Planning Commission work plan

Item Eyes-On-The-Street Amendments
Requested By Staff Lead
Staff Contact Planner Cogburn
Date Last at Commission N/A

Item Description

Amend Multi-Family Residential provisions to require a smaller percentage of window area per elevation & floor

Current Status/Update

Staff requests direction from the Commission.

PENDING BUSINESS ITEMS

Item Floodplain Development Code Text Update

Requested By Staff Lead

Staff Contact Planner Cogburn

Date Last at Commission 2013

Item Description

Modify the provisions contained in JCMC 17.80 to include address changes recommended by FEMA for such ordinances (the State issued a new Floodplain model ordinance in 2009, with modifications in 2009 and 2014)

Current Status/Update

Staff requests direction from the Commission.

Item Banner Signs Code Text Amendment

Requested By Staff Lead

Staff Contact Planner Cogburn

Date Last at Commission 2013

Item Description

At least 1 issue has been discussed for potential amendment relating to the City's provisions for off-premise signs. Community Development Committee has been investigating how to initiate Open Banner sign program similar to those in Corvallis and Springfield. Current sign regulations provide a barrier to implementation and would need to be amended. Additional flexibility on sign regulations has also been discussed.

Current Status/Update

Staff requests direction from the Commission.

PENDING BUSINESS ITEMS

<u>Item</u>	Property Line Adjustment and Replat Code Text Amendments
<u>Requested By</u>	Staff Lead
<u>Staff Contact</u>	Planner Cogburn
<u>Date Last at Commission</u>	2013

Item Description

Junction City Ordinances do not address lot line adjustments or replats. These two (2) types of land use actions are reviewed under the provisions contained in Oregon Revised Statute (ORS) 92.180-92.192

Current Status/Update

Staff requests direction from the Commission.

FUTURE BUSINESS ITEMS

Future Business Items

Item Rolling Meadows - Phase 1

Requested By Applicant

Item Description

Phase 1 Final Plat Approval.

Item Land Use Application Review

Requested By Planning Staff

Item Description

Review of new Land Use applications as needed.

Item By-Law/Code Review

Requested By Commission

Item Description

Review Planning Commission By-Laws as needed to remove outdated/incorrect statements and inconsistencies with the JCMC

Item Comprehensive Plan Map & Zoning Map
Discrepancies

Requested By Commission

Item Description

Review and address discrepancies between land uses and the Comprehensive Plan Land Use Map and/or the Zoning Map

2016 COMMITTEE MEETING CALENDAR

2016 Committee Meeting Calendar

Calendar Key

- Packets Available Date
- Regular Meeting Date

JANUARY

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MAY

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MEMORANDUM

TO: Planning Commission
FROM: Planning Department
RE: February Planning Activities

**Land Use Application and Planning Project Status**

- Planning and Building Staff are currently reviewing and updating the Land Use Application procedures to streamline the process, to create a more user friendly experience, and to further clarify applicant responsibility. The objective is to create comprehensive application packets for each land use type (type I, Type II, etc), as each may require information specific to the proposed use. As part of the update process, staff attended a daylong seminar for continuing education regarding effective policies and procedures.
- Four separate Special Event Street Closure applications have been submitted to the City. The SFA 2016 Scandinavian Festival, the Truck Function in Junction, the Function 4 Junction, and the Community Services Department's JC3.1 Run/Walk have all been received and will be going before the Community Development Committee at the standing March meeting. Representatives from the SFA have been attending the CDC meetings regularly throughout the past year and a half to better understand the SFA responsibilities and to coordinate with the City regarding festival operations.

City Council Update

- Amendments to the JCMC Chapter 2.50 - Planning Commission went before the Council at the February 9 standing meeting. The Council approved the Amendments which bring the Municipal Code in-line with the recent changes to the Planning Commission By-Laws.
- An Ordinance regarding Senate Bill 915, a bill allowing municipalities that administers building inspection program under state building code to assess violation of program as a civil penalty, also went before the Council at the standing February 9 meeting. The Council voted unanimously to approve the Ordinance, which give the Building Official the authority to assess monetary penalties for Building Code violations.

Future Action Items

- Major Variance - VAR-16-01 - Illuminated Sign Area - 189 West 6th Avenue - Boudica Salon. Staff is awaiting additional information prior to scheduling.

TSP Update

- Staff anticipates a revised Draft in the coming week.

Planning Commission

- Staff will be taking the Planning Commission's Sign Code work plan item to the Community Development Committee at the standing March meeting for review.

Building Activities:

- The building report for January 2016 is included as an attachment to this Report.

