JUNCTION CITY PLANNING COMMISSION
AGENDA ITEM SUMMARY

Public Hearing: Preliminary PUD-14-01, CUP-15-01, Rolling Meadows PUD

Meeting Date: April 15, 2015
Department: Planning
www.ci.junction-city.or.us

Agenda Item Number: 5a
Staff Contact: Jordan Cogburn
Contact Telephone Number: 541-998-4763

ISSUE STATEMENT

Before the Commission is a proposal by Oaklea Enterprises for a seven (8) phase, 355 parcel Master Planned Development called "Rolling Meadows" to be developed on 84.5 acres west of Oaklea Drive. This Public Hearing is required as part of the Preliminary Approval process, and is subject to a Conditional Use application Public Hearing approval criteria listed under JCMC 17.130.030.

BACKGROUND

The applicant is requesting approval of a 355-lot Planned Unit Development (PUD), called “Rolling Meadows” on 84.5 acres of two Tax Lots 2400 and 2500 on Tax Map 15 04 31. The site is zoned Residential Mix (Rx) and is to be rezoned and redesignated according to the Junction City Comprehensive Plan adopted on October 18th, 2012 (Ordinance 1212) and acknowledged by DLCD on August 9th, 2013 to a mix of Low Density, Medium Density, and High Density Residential through this Master Plan proposal.

The applicant has included a schedule proposing compliance with the requirements set forth in the Comprehensive Plan by proposing a minimum of 1 acre of High Density Residential (R3), 9 acres of Medium Density Residential (R2), approximately 58 acres of Low Density Residential (R1), and the remaining portions as wetlands and open space. The redesignation and rezone are being processed by the City concurrent with this proposal.

The site is currently being used for farming practices. An older farm house and several barns and outbuildings exist on the northeast corner of the site with overgrown blackberries surrounding the structures. Fire protection services are provided by the Junction City Rural Fire District. The site is located within the Junction City limits for water service and sanitary sewerage district, and is located within the Junction City Water Control District for storm water management. Other utilities readily available are power, gas, telephone, and cable TV all existing within the right of way of Oaklea Drive.

Additional details of the proposal are included in the applicant’s Planned Unit Development and Conditional Use application packages, and are further addressed in the applicant’s PUD Burden of Proof statement and supporting documentation, all of which are included as part of the public record and located in the application file for reference.

COMMITTEE REVIEW AND/OR RECOMMENDATION

None

RELATED CITY POLICIES

- JCMC 17.65 Planned Unit Developments
- JCMC 17.130 Conditional Uses
- JCMC 16.05 Subdivisions

PLANNING COMMISSION OPTIONS

1. Move to approve the Conditional Use and Planned Unit Development applications as presented in the proposed Final Orders.

2. Move to approve the Conditional Use and Planned Unit Development applications with conditions to the proposal based on changes to the proposed Final Orders.

3. Move to not approve the Conditional Use and Planned Unit Development applications as presented in the proposed Final Orders. If the Commission does not approve the Conditional Use and Planned Unit Development applications, move to have staff a) return with a revised proposal for their consideration or b) not bring the matter back before the Commission.

SUGGESTED MOTION

"I move to (approve/approve with conditions/deny) the Conditional Use application as presented in the CUP-15-01 Final Order, allowing the Rolling Meadows PUD preliminary plan map and preliminary plan program as presented in the PUD-14-01 Final Order as a Conditional Use."

ATTACHMENTS

A. Planning Staff Report
B. Revised Rolling Meadows Burden of Proof Statement
C. Revised Rolling Meadows PUD Tentative Master Plan
D. Conditional Use Application Dated: February 1, 2015
E. Draft Final Order PUD-14-01
F. Draft Final Order CUP-15-01

FOR MORE INFORMATION

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Attachment A

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PLANNING DEPARTMENT STAFF REPORT AND FINDINGS:

ROLLING MEADOWS PLANNED UNIT DEVELOPMENT AND PHASE 1 SUBDIVISION PRELIMINARY APPROVAL (CUP-15-01, PUD-14-01, SUB-14-01)

Application Summary:
Planned Unit Development proposal for a 355 parcel Master Planned Development.

Owner(s):
Oaklea Enterprises, Inc. 1210 Rose Street, Junction City, OR 97448

Applicant(s)
Hayden Homes, LLC. 2464 SW Glacier Place, Redmond, OR 97756

Applicant's Representative:
Marc Cross, Rhine-Cross Group, LLC (541) 851-9405

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

Subject Property/Zoning/Location:
Tax Lots 2400 and 2500 of Assessor's Map 15-04-31-00, Zoned Residential Mix (Rx), located north of 3rd Avenue, south of 10th Avenue, west of Oaklea Drive.

Relevant Dates:
Application originally submitted on December 29, 2014; supplemental information resubmitted on February 3, 2015; deemed complete on February 9, 2015; preliminary Planning Commission presentation on March 18, 2015; Preliminary Approval staff report issued on April 7, 2015

Present Request:
The applicant proposes a seven (7) phase, 355 parcel Master Planned Development called "Rolling Meadows" to be developed on 84.5 acres west of Oaklea Drive.

Public Notice and Referrals:
Public notice of the proposed Planned Unit Development is required as part of the preliminary approval criteria. The Planning department mailed notice of the application on March 20, 2014, in accordance with the applicable requirements of JCMC 17.150.080. The Planning department also provided information concerning the application to other appropriate City departments, public agencies, and service providers on March 20, 2015. All referral and public comments received by the Planning Division on this application are included in their entirety in the application file for reference, and

addressed in the context of applicable approval criteria and standards in the following evaluation. Subsequent stages of the PUD process will require compliance with applicable public noticing standards set forth under JCMC 17.150.080.

Public comments on the proposed PUD and Phase-1 Subdivision were requested from property owners within 300 feet of the subject site. Comments received by the April 6, 2015 Staff Report deadline include the summarized statements below:

- Nancy Brink, Owner, Oaklea Enterprises, Inc. *"Oaklea Enterprises Inc. wishes to preserve our rights by responding within the timeline perimeters. We are not in agreement with this current proposal, but prior to April 15, 2015 we hope to work out an agreeable plan with Hayden Homes and Junction City."*

- Wayne Earnshaw, Junction City, Oregon. - Mr. Earnshaw's comments are specifically regarding the proposed Plan Redesignation and Rezone of the subject site, as well as safety concerns for pedestrians and providing safe routes to school. Additionally, Mr. Earnshaw's comments question the necessity of multifamily housing in the area as there are existing facilities within the city that have not been developed. The issues raised by Mr. Earnshaw are addressed in detail throughout this report with regard to Comprehensive Plan Designation, site specific Zoning, as well as pedestrian scale infrastructure.

Referral comments on the application were requested from various affected service providers and City departments. Comments received by the April 6, 2015 Staff Report deadline include the summarized statements below:

- Kathleen Rodden-Nord, Junction City School District - *"If the development is expected to serve families with school aged children, we would like to see Parks and Recreational areas within the development that would be appropriate to this population. Also, we would ask that the developer consider sidewalks and bike paths with the development and along and across Oaklea to permit safe routes to and from school."*

- Dan Ingram, Lane County Transportation Planning - *"Unless and until jurisdiction of Oaklea Drive is transferred to the City of Junction City, Lane County remains the Road Authority for Oaklea Drive. Because Oaklea Drive remains under Lane County's jurisdiction, Lane Code and Lane County Facility Permitting requirements shall apply to development or improvements within the County Road right-of-way... When the proposed development is revised, Lane County Transportation Planning would appreciate the opportunity to review and to comment on the revisions."* The full referral response from Lane County Transportation Planning Staff, including LC approval criteria, is included in the file for reference. Conditions imposed by Lane County Public Works are included at "Conditions of Approval" within this report.

- Keith Blair, ODOT Region 2 Tech Center - *"Analysis items to be addressed: 1.) 95th percentile queuing analyses for all scenario years were not conducted in accordance with Section 8.3.5 of Version 1 of the APM. Instead of utilizing ODOT-default 10 minute seeding intervals, the study used 3 minute and 5 minute seeding intervals for AM peak hour and PM peak hour analyses,*

respectively. Additionally, the PHF adjustment was only applied to Interval #1 rather than to the seeding interval and Interval #1 as specified in the APM. These oversights could have a significant effect on the results of the queuing analyses. Therefore, all 95th percentile queuing analyses should be reanalyzed. As SimTraffic files were not provided for review, we are unable to identify what other parameters (if any) were also erroneously utilized. Upon reanalysis, all simulation parameters (vehicle length, green react times, interval parameters, etc.) should follow the procedures specified in Section 8.3.5 of version 1 of the APM. Proposed mitigation comments: 2.) It appears northbound left turn lane criterion is first met on Oaklea Drive at 10th Avenue by 2018 under the Phase 1-3 build condition. 3.) It appears northbound left turn lane criterion is first met on Oaklea Drive at 6th Avenue by 2020 under the Phase 1-4 build condition. 4.) No mitigation measures have been proposed on state highway facilities. As analyzed, this conclusion appears reasonable for the proposed development. However, the need for storage length mitigation may be identified following reanalysis of the 95th percentile queuing analyses. As the above comments will merit the need for reanalysis, we look forward to a second round of review at which time we will comment on all proposed mitigation measures affecting the state highway system."

As a addendum: David Reesor, Senior Region Planner, Area 5, ODOT submitted a letter on April 9, 2015 stating:

"ODOT staff have reviewed the additional TIA info provided to us for the Rolling Meadows application. This additional analysis work satisfies the re-work recommended within Keith Blair's previous (4/3/2015) comment letter. Region 2 Traffic's comments on the proposed mitigation measures are listed below:

- *It appears northbound left turn lane criterion is first met on Oaklea Drive at 10th Avenue by 2018 under the Phase 1-3 build condition.*
- *It appears northbound left turn lane criterion is first met on Oaklea Drive at 6th Avenue by 2020 under the Phase 1-4 build condition.*
- *No mitigation measures have been proposed on state highway facilities. This conclusion appears reasonable for the proposed development."*

- Gary Kaping, Junction City Public works - *"10th street needs to be a full width street with curb, gutters, and sidewalk on the south side and curb and gutter at the minimum on the north side. Additionally, the zone of benefits for the Oaklea Meadows pump station needs to be paid in full at the start of the first phase."*

Application requirements and approval criteria applicable to this stage in the PUD process are addressed at JCMC 17.65.060, as well as the Conditional Use Criteria listed at JCMC 17.130. It is further noted that the applicant has requested review of the application under the Subdivision approval criteria contained in JCMC 16.05. The following evaluation includes findings of compliance with the applicable criteria and related standards as provided in JCMC 17.65.060, 16.05.040, and 17.130 with findings or informational items noted where appropriate.

General Property Information:

The applicant is requesting approval of a 355-lot Planned Unit Development (PUD), called "Rolling Meadows" on 84.5 acres of two Tax Lots 2400 and 2500 on Tax Map 15 04 31. The site is zoned

Residential Mix (Rx) and is to be rezoned and redesignated according to the Junction City Comprehensive Plan adopted on October 18th, 2012 (Ordinance 1212) and acknowledged by DLCD on August 9th, 2013 to a mix of Low Density, Medium Density, and High Density Residential through this Master Plan proposal. The applicant has included a schedule proposing compliance with the requirements set forth in the Comprehensive Plan by proposing a minimum of 1 acre of High Density Residential (R3), approximately 9 acres of Medium Density Residential (R2), approximately 38 acres of Low Density Residential (R1), and the remaining portions dedicated as streets, wetlands and open space parcels. A redesignation and rezone of the subject site are being processed by the City concurrent with this proposal, as required by the Comprehensive Plan.

The site is currently being used for farming practices. An older farm house and several barns and outbuildings exist on the northeast corner of the site with overgrown blackberries surrounding the structures. Fire protection services are provided by the Junction City Rural Fire District. The site is located within the Junction City limits for water service and sanitary sewerage district, and is located within the Junction City Water Control District for storm water management. Other utilities readily available are power, gas, telephone, and cable TV all existing within the right of way of Oaklea Drive.

Additional details of the proposal are included in the applicant's Conditional Use application, and are further addressed in the applicant's PUD Burden of Proof 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 Rolling Meadows Planned Unit Development and concurrent Subdivision application for phase 1 of the Rolling Meadows PUD will comply with the applicable preliminary approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC). The approval criteria and related standards applicable at this time are listed below in **bold**, with findings addressing each.

JCMC CHAPTER 17.65 PLANNED UNIT DEVELOPMENT

<u>JCMC 17.65.010 Purpose.</u>

The purpose of a planned unit development is to permit greater flexibility in land use regulations, thereby allowing the developer to use a more creative approach in the development of land. Density requirements, setbacks and other land use regulations may be adjusted to allow for a more desirable living environment. Preservation of natural features, harmonious variety of uses, the economy of shared services and facilities, and a development more compatible with the surrounding area are a few of the common benefits attained from a planned unit development.
The PUD approach is expected to result in development that is superior to what could be obtained through ordinary lot-by-lot development. It is not intended to circumvent conventional land use regulations.

In return for greater flexibility in site development, the PUD introduces some special requirements and standards for design approval. These conditions will be employed to maximize quality of site design. They will not be used to cause undue delays nor unwarranted increase in costs, when compared to more conventional development. The PUD process will not be used as a device to force a decrease in residential density below that otherwise allowed by the comprehensive plan and underlying zoning. [Ord. 1037 § 1, 1997; Ord. 950 § 68, 1991.]

The applicant has submitted a proposal for the Rolling Meadows PUD following with the understanding that the property be developed with one acre of High Density Residential (R3), nine acres of Medium Density Residential (R2), and the remainder of the property being Low Density Residential (R1) and Open Space. The applicant has proposed additional setback and density bonuses as part of this application, in response to the Planning Commission's request for a half-acre neighborhood pocket park. Details regarding setback and density bonuses are addressed under the findings at JCMC 17.65.060(C)(2)(C).

JCMC 17.65.020 Ownership.

The tract or tracts of land included in a proposed planned unit development may be in one ownership or control, or the subject of a joint application by owners of all the property included. The holder of a valid written real estate option contract shall be deemed the owner of such land for the purpose of this section. The planning commission may require satisfactory evidence of such contract of purchase. [Ord. 1037 § 1, 1997; Ord. 950 § 69, 1991.]

The property is owned by Oaklea Enterprises and is being developed in the first three phases by Hayden Homes under the provisions of a real estate option agreement.

JCMC 17.65.030 General requirements.

The following general requirements will apply to planned unit developments:

A. A planned unit development shall be allowed in all zones as a conditional use according to the procedures set forth for such uses. Minimum site area shall be two acres to qualify for a PUD.

A Conditional Use application has been submitted by the applicant. Conditional Use criteria will be addressed further under the staff findings at JCMC 17.130. The subject properties collectively are 84.5 acres in size, therefore this provision is met.

B. As a condition of approval of a planned unit development, the planning commission may require the following:

1. **A performance bond or other securities acceptable to the city to ensure that a planned unit development is completed as submitted.**
2. **An economic impact statement if the planned unit development is of a sufficient size and economic complexity.**
3. **An environmental impact study if the planned unit development is large enough to have critical impact upon the land and environment.**

4. **Areas for parks or playgrounds, sized according to prevailing statewide and local government standards, shall be permanently reserved within the PUD or provided for off site.**
5. **Streets be designed and constructed according to city standards and dedicated to the city.**
6. **Easements for the orderly extension, maintenance, repair or replacement of public utilities.**
7. **Adequate guarantee must be provided to ensure permanent retention of common open space and recreation areas which may be required as conditions of PUD approval. This guarantee may be satisfied by creation of a nonprofit homeowners' association to ensure maintenance of the area, or by development of the space to city specifications and acceptance of it by the city, in which case it would be available for general public use.**

The applicant is proposing to dedicate 18.5 acres for a public open space and develop .5 acres for a public park (Tract C) with Phase III of PUD. A timeline for the enhancement of public open space has not been submitted.

- In order to ensure the PUD is completed as submitted, a performance bond including wetlands enhancements approved by DSL shall be submitted for open space improvements prior to final PUD approval.

The applicant has proposed wetland preservation and enhancement along the western portion of the site. The trails and open spaces will connect residents to natural features of the site. The proposed wetlands enhancements are considered an amenity that will preserve the natural features of the area which will result in a development that is superior to what could be obtained through ordinary lot-by-lot development. In order to ensure the wetland enhancements will be completed as the PUD develops, the following conditions are warranted:

- A Wetland Enhancement Plan approved by Division of State Lands shall be provided as associated with each phase of the development.

The current standards for park requirements will be reviewed under the provisions at JCMC 16.05 Subdivisions.

The planned unit development includes delineated wetlands that have been approved by DSL. All traffic impacts will be reviewed by Lane County Transportation Engineering and impact to the City's storm water system is also being reviewed under the subdivision approval process. Therefore the Planning Commission finds the impacts of the development will be sufficiently addressed and an Environmental Impact Study is not required.

The applicant has stated that streets will be constructed to City standard and dedicated to the City. All street frontages adjacent to lots will have a public utility easement (PUE). Easements for the extension and maintenance of public utilities will be reviewed under the preliminary subdivision approval criteria and will be required to be designed and constructed according to City standards.

C. Whenever a planned unit development is subject to Chapter 16.05 JCMC, the procedures and regulations of Chapter 16.05 JCMC shall apply. [Ord.1170 § 4, 2007; Ord. 1037 § 1, 1997; Ord. 950 § 70 1991.]

The PUD application was submitted with a Preliminary Subdivision application. The subdivision plans will be reviewed by the Planning Commission at the April 15th meeting.

JCMC 17.65.040 Procedures.

The applicant has submitted a Burden of Proof statement that will serve as the letter of intent to development subject site under the PUD process. The applicant has also submitted a Conditional Use application as required by this chapter. The application is subject to the three-stage review process. A pre-application meeting was held on October 29th, 2014, in which the preliminary Master Plan map was presented to City and other jurisdictional staff. The preliminary review by the Planning Commission as part of Stage 2, Preliminary Approval was held on March 18, 2015. The Planning Commission has communicated initial areas of concern and has agreed to proceed to Stage 2. Preliminary Approval.

Based on the findings stated above, the criteria listed under JCMC 17.65.040 have been met.

JCMC 17.65.060 Preliminary approval (stage 2).

A preliminary development plan and existing conditions plan has been submitted for review by the Planning Commission that addresses the requirements stated under JCMC 17.65.060(A).

As required by JCMC 17.65.060(B), the applicant states that all onsite streets will be developed as Local Streets following the requirements of the Junction City Code and will be dedicated to the City with the filing of each final plat.

The applicant has submitted a draft outline of the preliminary CC&R's, as well as the H.O.A. agreement for the first three phases of the development if required by the Planning Commission.

The applicant proposes that all buildings within the low density residential zone will be single family residential structures. The types and sizes of the medium and high density developments will be identified at the time of subdivision application submittal associated with future phases. Because the Planned Unit Development is being proposed is multiple phases, approval of each phase will require an additional subdivision approval and hearing through the Junction City Planning Commission. Specifics of the types of buildings proposed shall be included at that time.

As required by the Junction City Comprehensive Plan, the proposed Planned Unit Development (Master Planned Development) identifies 1 acre of High Density residential (R3), 9 acres of Medium Density residential (R2), and the remainder being a mix of Low Density residential, wetlands, and public open space. The application is proposing 355 lots, of which the 9 acres of R2 and one acre of R3 can accommodate multiple families per lot. Potential residential density proposed according to the submitted Plan Map includes: 7.32 (279 R1 Lots/38.1 Acres) units per acre of Low Density Residential; 8 (69 R2 Lots/8.62 Acres) units per acre of Medium Density Residential; and approximately 12 units per

acre of High Density Residential (Ave. Density in R3 = 12+ Units/Acre), with the remaining 6 lots as open space tracts.

The applicant proposes a subdivision entry sign at the entrances to the subdivision at Oaklea Dr. The design and details of the sign will be identified through the sign permit application process once construction of the subdivision has commenced. The applicant will be required to comply with the applicable sign criteria stated in the JCMC.

- The proposed entry sign shall be installed as part of Phase-1 of the PUD, in accordance with a Junction City approved sign permit.

The applicant has proposed street trees identified on the preliminary Master Plan Map, and specific landscaping of the open space areas will be determined through the submission of an approved landscape plan by a Certified Landscape Architect prior to final approval.

The applicant suggests that grades of all proposed streets will be relatively flat, with no grade exceeding 5%. The applicant proposes that onsite streets will be designed and designated as Local Streets, with pavement widths of 36 feet and paved with asphalt concrete. All lots will be developed with City sanitary sewer service, with underground sewer mains connecting to the pump station that was recently installed with the Reserve at Junction City development.

The applicant has requested that the Planned Unit Development be developed in eight phases. The timeline for construction of each phase is listed on the preliminary master plan.

In response to the criteria listed under JCMC 17.65.060(C)(1), staff finds that the proposed Planned Unit Development will be consistent with the comprehensive plan:

> The application follows the requirements of the Junction City Comprehensive Plan, Chapter 9, Policy 6 that requires the Planned Unit Development to provide 1 acre of High Density residential, 9 acres of Medium Density residential, and the remaining developable area of the property to be designated as Low Density residential. The PUD will propose a mix of the allowable housing types following the requirements of the underlying zoning. The applicant is proposing 279 Low Density Residential parcels, 69 Medium Density Residential parcels, and 1 High Density Residential parcel in the rolling Meadows PUD on varying lot sizes, which will provide a variety of home ownership opportunities for future residents. The City is expected to have a growing demand for housing with the construction of the planned hospital and planned prison. The proposed PUD will provide a range of housing opportunities for new city residents. The density proposed on the site is consistent with density range allowed for PUDs by the City's Comprehensive Plan.
>
> Public water mains will be extended onsite connecting to the existing mains in Oaklea Drive. The application package dated February 9, 2015 includes a phasing plan (Sheet MP1) and a projected development schedule for the proposed PUD. The sanitary pump station constructed in The Reserve at Junction City, Phase I (Oaklea Meadows) was sized to accommodate the needs of the proposed development. Water service is available from the existing adjacent water lines. The proposed storm system will be a combination of storm pipes and low impact development

practices, including bio-swales, as proposed by the applicant. All of the services and utilities are of adequate size and quality to serve the proposed 355-lot PUD.

The applicant will be constructing half-street improvements along Oaklea Drive for the proposed PUD in accordance with Lane County Public Works Conditions of Approval. The streets in Phase I will been constructed to City standards and will provide access to the new neighborhood. Phase I also includes a secondary emergency access to Oaklea Drive (Tract B). Tenth Avenue, proposed to be constructed with Phase I, will be extended west of Oaklea Drive into the site and will provide the first street connection into the PUD. Sixth Avenue, proposed to be constructed with Phase IV, will be extended west of Oaklea Drive into the site and will provide a second street connection into the PUD. All streets are proposed to be dedicated to the City upon recordation of the final plat(s) and will be reviewed under the preliminary subdivision approval process.

All required public sewer and water connections will be completed as part of Phase 1 of the Master Plan

Additional deed restrictions associated with future assessments are not needed as all services necessary for the proposed density shall be provided with construction of the site.

In response to the criteria listed under JCMC 17.65.060(C)(2), staff finds that the proposed Planned Unit Development will be developed in harmony with the surrounding area, and within the PUD:

Proposed zoning is not radically different from the adjacent properties. Additionally, the zoning complies with the Comprehensive Plan density requirements associated with the subject site;

The applicant has proposed dedicating approximately 18.5 acres of open space that will serve as a preservation area for the wetlands on site, as well as providing passive recreation opportunities; and

Additionally, the applicant requested a density bonus during the Planning Commission meeting on March 18, 2015. The required minimum three provisions that will be addressed at JCMC 17.65.060(C)(2)(c) include: i-landscaping, ii – public open space, and iv- enhancement of public enjoyment of natural assets onsite. The applicant proposes dedicating two triangular areas (Tracts A and D) at the 10th Avenue and 6th Avenue entries to the subdivision for an entry sign and landscaping to beautify the entry to the property. Street trees shown on the Master Plan Map shall be detailed in the required landscaping plan at the time of final PUD submittal. The applicant is proposing to dedicate a ½ acre tot lot to the City for use as a pocket park. The park will be public open space and will be landscaped according to the required landscaping plan. The applicant is also proposing an enhanced trail system within the large open space/wetland tract on the west side of the site. The proposed trail system will provide for increased public enjoyment of the wetland area.

As stated in the adopted Parks and Open Space Master Plan, the suggested service area for pocket parks is a 1/4 mile radius from the property. Staff recommends that the 1/2 acre pocket park be

relocated more centrally within the proposed PUD in order to serve all residents within 1/4 mile of the facility. The following Condition of Approval is warred base on the adopted Parks and Open Space Master Plan.

- In order to ensure a park area is available to residents of the PUD as it develops, the park shall be developed no later than Phase III. Alternatively, the private park may be developed no later than Phase IV if the public park has been fully improved consistent with the adopted Parks and Open Space Master Plan.

The applicant has submitted a tentative time table for the completion of the 8-Phase PUD as required under JCMC 17.65.060(C)(3), with an anticipated phase-1 completion of October, 2017, and an anticipated final phase-8 completion of October, 2024. A detailed schedule for the multi-phase PUD is included in the submitted Master Plan Map. The applicant suggests that the completion of a PUD in this size and scale will be subject to environmental and economic provisions that are outside the applicant's control.

- Development and construction on the site shall conform substantially to the preliminary PUD plans submitted and PUD conditions approved by the Planning Commission (PUD-14-01). In addition the following applies:
    - Density of the proposed development shall not increase over the 15% adjustment allowed under 17.65.060(C)(2)(c)
    - Public park acreage shall not be less than that proposed
    - Open space tracts and wetland preservation area acres shall not be less than that proposed
    - No panhandle lots shall be allowed
    - All development shall comply with Public Works Design standards and Variances to these standards as approved
    - In order to ensure a park area is available to residents of the PUD as it develops, the park shall be developed no later than Phase III. Alternatively, the private park may be developed no later than Phase IV if the public park has been fully improved consistent with the conceptual plans submitted for phase I-III.

Based on Staff findings and conditions stated above, as well as the Planning Commission requirements stated during the initial review, Staff recommends conditional approval of the proposed Planned Unit Development as stated in the Draft Final Order.

JCMC CHAPTER 17.130 CONDITIONAL USES

<u>17.130.010 Authorization to grant or deny conditional uses.</u>
Conditional uses are those uses which may be appropriate, desirable, convenient or necessary in the district in which they are allowed, but which by reason of their height or bulk or the creation of traffic hazards or parking problems or other adverse conditions may be injurious to the public safety, welfare, comfort and convenience unless appropriate conditions are

imposed. Uses designated in this chapter as conditional uses may be permitted, enlarged or otherwise altered upon authorization by the planning commission in accordance with the standards and procedures set forth. In the case of a use existing prior to the effective date of the ordinance codified in this chapter and which is classified in this chapter as a conditional use, any change in use or in lot area or any alteration of the structure shall conform with the requirements dealing with conditional uses.

In permitting a conditional use, the city may impose, in addition to those standards and requirements expressly specified by this chapter, any additional conditions which the city considers necessary to protect the best interests of the surrounding property or the city as a whole. These conditions may include, but are not limited to, increasing the required lot size or yard dimensions; limiting the height of buildings; controlling the location and number of vehicle access points; increasing the street width; increasing the number of off-street parking and loading spaces required; limiting the number, size and location of signs; requiring screening and landscaping to protect adjacent property; and recording such conditions on the property with the county clerk. [Ord. 950 § 98, 1991.]

The applicant has submitted a Burden of Proof statement that will serve as the letter of intent to development subject site under the PUD process. JCMC 17.65.060(D) requires the PUD be processed under a Public Hearing by the Planning Commission following the Conditional Use criteria beginning at JCMC 17.130.010. All conditions imposed by the Planning Commission shall be referenced at the time of Final Approval.

17.130.020 Application for a conditional use.

The applicant has submitted a Conditional Use application, site plan, and relevant fees in conjunction with the concurrent PUD and Subdivision applications. All requests from the Planning Commission relative to the application requirements shall be addressed at the time of Final Approval.

17.130.030 Public hearing on conditional use.

A. A Public Hearing for the Rolling Meadows PUD is being held in compliance with the provisions stated under this chapter. Public Notice was mailed in compliance with JCMC 17.150.080 on March 20, 2015.

B. Draft Findings of Fact are included as an attachment to this report. The draft Findings show that the applicant has:
    1. Provided a Master Plan Map that shows compliance with the Residential Mix Zoning Ordinance by proposing 1 acre of High Density Residential, 9 acres of Medium Density Residential, and the remaining area to by dedicated as Low Density Residential. The proposed conditional use for the subject site is a 355-parcel planned unit development. A PUD allows modifications to the underlying zoning standards, and the applicant has made specific requests for those modifications to the R1, R2 and R3 zones. The proposed PUD conforms to all other applicable requirements of the City's Zoning Ordinance.

2. Provided a Master Plan Map that shows 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. The 84.5 acre subject property is a large site that can accommodate the proposed 355-lot PUD as shown in the preliminary site plans. The applicant is avoiding all impacts to the site's wetlands and is providing parks and open spaces in exchange for modifications to the standards for the underlying R1, R2 and R3 zones. The applicant has proposed a site layout that accommodates the unique shape of the site's natural resources. The proposed density on the site is within the density allowed in a PUD by the City's Comprehensive Plan.

3. Ensuring that all public facilities will be designed and constructed to the adequate size and quality to serve the proposed use. The sanitary pump station constructed in The Reserve PUD to the north of the subject site was sized to accommodate the needs of future development, including the current proposed development. Water service is available adjacent to the subject site. The proposed storm system will be a combination of storm pipes and low impact development practices, including detention facilities, as proposed by the applicant. All of the services and utilities are of adequate size and quality to serve the proposed 355-lot PUD; and by

4. Providing a Master Plan Map that proposes zoning that is reasonably compatible with surrounding properties, as required by the Junction City Comprehensive Plan.

17.130.060 Standards governing conditional uses.
A conditional use shall comply with the standards of the zone in which it is located except as these standards may have been modified in authorizing the conditional use or as otherwise provided as follows:

A. Height Exception

No government buildings are proposed as part of this application package. Therefore, this criterion does not apply.

B. Limitation on Access to Property and on Openings to Buildings.

No industrial or commercial uses are proposed as part of this application package. Therefore, this criterion does not apply. As a note, all future development and their uses shall comply with the nuisance provisions set forth under the JCMC.

C. Schools.

No schools are proposed as part of this application package. Therefore, this criterion does not apply.

D. Utility Substation or Pumping Substation.

No Utility Substation or Pumping Substations are proposed as part of this application package. Therefore, this criterion does not apply.

JCMC CHAPTER 16.05 SUBDIVISIONS

<u>16.05.040 Subdivisions and major partitions.</u>

A. Submitting Preliminary Plan. A preliminary plan shall be submitted to the secretary of the planning commission attached to an application for approval in the form prescribed by the city together with 19 additional copies of the preliminary plan.

The applicant is submitting a preliminary master plan for the subject properties as well as a preliminary subdivision plan for Phase 1 of the development concurrent with the PUD and CUP applications. The applicant has submitted four (4) copies of the preliminary subdivision plan, as Staff has waived the 19 copy requirement based on submittal of digital documents.

B. Preliminary Plan Requirements.

The preliminary plan submitted by the applicant includes all pertinent information to scale. The submitted preliminary plan was prepared by Marc Cross, an Oregon licensed land surveyor. The Rolling Meadows Phase-1 subdivision name is included in the submitted preliminary plat.

The submitted Tentative Plat includes all relevant information listed under JCMC 16.05.040(B)(2).

The submitted preliminary subdivision plan is included in this report for reference in regard to the PUD process. The preliminary subdivision plan is subject to initial approval of the PUD proposal and will be presented in detail during the public hearing for PUD-14-01.

C. Review Of Preliminary Plan.

The preliminary plan submitted by the applicant will be reviewed according to the relevant criteria listed under this section. Copies of the submitted plan were distributed to Lane County, State of Oregon, federal agencies, Junction City school district, Junction City water control district, the City Recorder and Public Works Staff for review. Comments received are referenced under Agency Comments, and are included in the application file.

D. Approval Preliminary Plan.

Based on the findings stated above, the Planning Commission requirements stated during the initial review, and the conditions and recommendations provided by referral agencies, Staff recommends conditional approval of the proposed Subdivisions as stated in the Draft Final Order.

<u>16.05.050 Platting and mapping standards.</u>

A. Streets.

1. Dedication.

a. Generally. The planning commission may require adequate and proper streets, including arterials, collector streets, local streets, and other streets, to be dedicated to the public by the partitioner or subdivider, of such design and in such location as are necessary to facilitate provision for the transportation and access needs of the community and the partition or subdivision area, in accordance with the purpose of this chapter.

b. Master Street Plan.

i. Submitting Plan. The planning commission shall prepare and submit to the council a master street plan or plans and amendments thereto, for the city or such portions thereof as necessary, indicating streets and street systems needed to provide for the transportation needs of the community in its normal growth.

ii. Adoption of Plan. Upon adoption and approval by the council of any such plan or amendment thereto, as from time to time may be submitted by the planning commission, a copy shall be kept in the planning office for the use and information of the general public.

iii. Effect of Adoption. Any such plan or plans and amendments thereto adopted by the council shall be considered by the planning commission to be a correct designation of the transportation, access, and safety needs of the area or areas included with respect to the streets designated thereon, for the purpose of determining design and location of streets to be required under JCMC 16.05.040, unless convincing evidence to the contrary is presented to the planning commission.

All streets and roads shown on the preliminary subdivision plan will be dedicated to the City at the time of each final plat approval. The applicant is submitting a PUD master plan showing street alignment for the entire property, however only Phase-1 of the proposed Planned Unit Development is being reviewed with this application. The master plan is laid out to minimize dead end streets and maximize cross circulation within the subdivision so that no one road becomes the main thoroughfare within the development. 10th Ave and 6th Ave will be connected to Oaklea Drive directly adjacent to where the intersections exist presently.

2. Width.

a. Generally. Widths of street right-of-way and paving design for streets shall be not less than those set forth in the table below; except that for a street abutting land not in the partition or subdivision area a lesser width may be allowed, in the discretion of the planning commission, where the partitioner or subdivider presents a satisfactory plan whereby such street will be expanded to the width otherwise required.

b. Existing Adjacent Street. The widths of street right-of-way provided in the table below shall be the minimum widths of right-of-way for streets existing along and adjacent to any boundary of the partition or subdivision area; and the partitioner or subdivider shall dedicate additional right-of-way, as determined by the planning commission in accordance

with such table, for any such adjacent street where the existing width of right-of-way for such street is less than the minimum in such table.

c. Slope Easements. Slope easements shall be dedicated in accordance with specifications adopted by the council under this section:

Table 16.05.050: Street Standards

Type of Street	*Right-of-Way Width*	*Paving Width **	*Sidewalk Width ***	*Bike Lane Width*
Arterials	*60' – 120' ********	*36' – 52'*	*6.5'*	*6'*
Major and Minor Collector Streets	*50' – 80' ********	*34' – 46'*	*5.5'*	*6' (if required)*
Local Streets	*40' – 60'*	*20' – 36'*	*5.5'*	*Not required*
Other Local Streets	*40' – 60'*	*20' – 36'*	*5.5'*	*Not required*
Cul-de-Sacs	*40' – 50'*	*28' – 36'*	*5.5'*	*Not required*
Cul-de-Sacs Bulb	*92' ******	*70' ******	*5.5'*	*Not required*
Hammerhead or "T" stubs	*30' "T" end*	*15' – 20'*	*5.5'*	*Not required*

** Paving measured from inside of curb to inside of curb.*

*** Includes six-inch curb width.*

**** Measured by diameter of circle constituting circular end.*

***** The planning commission may require a width within the limits shown based upon adjacent physical conditions, safety of the public, and the traffic needs of the community, and in accordance with specifications adopted by the council under this section.*

The applicant proposes that all streets within the subdivision to be dedicated as City streets. The streets are proposed to match the streets layout within the adjacent Reserve at Junction City PUD with 50 foot right of way, 36 foot paved width, (2) 5.5 foot curb and sidewalk. Oaklea Drive shall be improved in accordance with Lane County requirements, as stated in the Conditions of Approval.

3. Reserve Strips. The planning commission may require the partitioner or subdivider to create a reserve strip controlling the access to a street, said strip to be placed under the jurisdiction of the council, when the planning commission determines that a strip is necessary:

a. To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly partitioning or subdivision of land lying beyond the street; or

b. To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards provided in the table of subsection (A)(2)(c) of this subsection; or

c. To prevent access to land abutting a street of the partition or subdivision, but not within the tract or parcel of land being partitioned or subdivided; or

d. To prevent access to land unsuitable for building development.

The applicant proposes that during each phase of the development, the subdivision plat will provide a dedicated reserve strip of land at the phase line as required by this section.

- The applicant shall record a dedicated reserve strip of land at the phase line on the subdivision plat prior to each final plat approval.

4. Intersections of Streets.

a. Angles. Streets shall intersect one another at an angle as near to a right angle as is practicable, considering topography of the area and previous adjacent layout; where not so practicable, the right-of-way and street paving within the acute angle shall have a minimum of 30-foot centerline radius where such angle is not less than 60 degrees. In the case of streets intersecting at an angle of less than 60 degrees, then of such minimum as the planning commission may determine in accordance with the purpose of this chapter.

b. Jogs. Intersections shall be so designed that no jog dangerous to the traveling public is created as a result of staggering of intersections; and in no case shall there be a jog of less than 100 feet between nearest or adjacent right-of-way lines.

Streets are laid out to minimize dead end streets and maximize cross circulation within the subdivision so that no one road becomes the main thoroughfare within the development. All streets intersect at 90 degree angles with the exception of the most westerly road where the curve of the road follows the delineated wetland, where some intersections are at the 60 degree minimum. <u>As proposed, 10th Avenue at the intersection of Oaklea Drive does not comply with the jog standards listed above.</u>

- The applicant shall revise the proposed alignment for the extension of West 10th Avenue for review and approval prior to final approval.

- The applicant shall revise the proposed alignment for the extension of West 10th Avenue for review and approval by Lane County prior to development approval. The new connection of West 10th Avenue on the west side of Oaklea Drive shall be revised to meet minimum intersection standards. Offset intersections shall meet the requirements of LC 15.137(6)(b).

5. Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions, in accordance with the purpose of this chapter.

The topography of the land is relatively flat, with a slight slope from east to west toward Flat Creek. As such, the proposed street layout complies with this criterion.

6. Future Extension of Streets. Where the partition or subdivision area is adjacent to land likely to be partitioned or subdivided in the future, streets shall continue through to the boundary lines of the tract under the same ownership of which the subdivision area is a part, where the planning commission determines that such continuation is necessary to provide for the orderly partitioning or subdivision of such adjacent land, or the transportation and access needs of the community.

Three street stubs are proposed at the northerly and southerly property lines of the proposed PUD. Street stubs are provided at the south property line even though the adjacent property is not within the UGB. No streets are stubbed to the west where the property is owned by the City and utilized as a sanitary sewer treatment facility and police training facility. The proposed subdivision includes a total of six (6) street stubs to continue the street network throughout the proposed PUD.

7. Cul-de-Sacs. There shall be no cul-de-sacs more than 400 feet long or serving more than 18 single-family dwellings. Each cul-de-sac shall have a circular end with a minimum diameter of right-of-way width and paving as shown in the table of subsection (A)(2)(c) of this subsection.

Three cul-de-sacs are proposed in the entire PUD, all of which are less than 400 feet long and serve less than 18 Single Family Dwellings. The right of way and pavement widths will match those shown in table of subsection (A)(2)(c). The proposed Phase-1 Subdivision includes only 1 cul-de-sac, which serves ten (10) single family dwellings and shall comply with standards listed above.

8. Street Names. Streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for streets that are not in alignment with existing streets are subject to approval by the planning commission and shall not unnecessarily duplicate or resemble the name of any existing or platted street in the city. All streets running in a generally north and south direction shall be named in alphabetical order to conform to the established pattern in the city.

The proposed street names match the Junction City numbered grid for east-west avenues, and match the alignment names for north-south drives as named in the Reserve at Junction City PUD adjacent to the north.

9. Grades and Curves. Unless otherwise approved by the planning commission because topographical conditions will not reasonably permit, grades shall not exceed six percent on arterials, 10 percent on collector streets, or 12 percent on all other streets. Centerline radii on curves shall not be less than 300 feet on arterials, 200 feet on collector streets, or 100 feet on all other streets.

All streets will have grades less than 5% and centerline radiuses of less than 100 feet for the Local Streets.

10. Access Management.

a. Shared Access. Subdivisions with frontage on the state highway system shall be designed to have a shared access point to and from the highway. All such subdivision accesses shall be reviewed by the Oregon Department of Transportation.

b. Connectivity.

i. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this section.

ii. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to provide access to abutting properties or to logically extend the street system into the surrounding area. All street stubs shall be provided with a turn-around. Removal of the turn-around shall be at the option and cost of the owner of the lot where the turnaround is located.

iii. Minor collector and local residential access streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency and evacuation. Connections shall be designed to avoid or minimize through traffic on local streets.

The property fronts Oaklea Drive, being a road under the jurisdiction of Lane County. No access to a road controlled by ODOT is proposed.

Street stubs to the north will connect to planned streets within the Reserve at Junction City. The access points along Oaklea Drive are proposed to match the existing 6th Ave and 10th Ave intersections.

As discussed previously, street stubs are proposed at the northern and southern property lines. As part of the Phase-1 Subdivision proposal, street stubs are proposed to the west, north and south in order to continue the network throughout the proposed PUD, and the approved Reserve PUD to the north.

The access points along Oaklea Drive are proposed to align with the existing 6th Ave and 10th Ave intersections in order to facilitate convenient movement of traffic between residential neighborhoods or facilitate emergency and evacuation.

The following condition of approval is warranted based on the submitted preliminary plat:

- Prior to Final PUD approval the applicant shall dedicate or cause to be dedicated, by instrument approved by the City, the proposed right-of-way for the extension of West 10th Avenue and shall construct West 10th Avenue.

- All street stubs shall be provided with a turn-around. Removal of the turn-around shall be at the option and cost of the owner of the lot where the turnaround is located.

B. Alleys.

1. Dedication. The planning commission may require adequate and proper alleys to be dedicated to the public by the partitioner or subdivider of such design and in such location as necessary to provide for the access needs of the partition or subdivision area in accordance with the purpose of this chapter.

2. Width. Width of right-of-way and paving design for alleys shall be not less than 20 feet, except that for an alley abutting land not in the partition or subdivision area a lesser width may be allowed, in the discretion of the planning commission, where the partitioner or subdivider presents a satisfactory plan whereby such alley will be expanded to the width otherwise required. Slope easements shall be dedicated in accordance with specifications adopted by the planning commission.

3. Corner Cut-Offs. Where two alleys intersect, 10-foot corner cut-offs shall be provided.

4. Grades and Curves. Unless otherwise approved by the planning commission where topographical conditions will not reasonably permit, grades shall not exceed 12 percent on alleys, and centerline radii on curves shall not be less than 100 feet.

5. Other Requirements. All provisions and requirements with respect to streets shall apply to alleys the same in all respects as if the word "street" or "streets" therein appeared as the word "alley" or "alleys," respectively.

No alleys are proposed as part of this Phase-1 Subdivision application. Therefore, these criteria do not apply.

C. Blocks.

1. Block Length. Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet. The planning commission may allow

exceptions where pedestrian pathways are utilized as mid-block connections between streets.

2. Street Connectivity. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

a. The proposed development shall include street connections in the direction of all existing or planned streets within one-quarter mile of the development site. The proposed development shall also include street connections to any streets that abut, are adjacent to, or terminate at the development site.

b. The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site.

c. The requirements of subsections (C)(2)(a) and (b) of this section do not apply if it is demonstrated that the connections cannot be made due to impact of natural resource areas such as wetlands, streams, or upland wildlife habitat area or where existing development on adjacent lands, including previously subdivided vacant parcels, precludes a connection now or in the future.

3. Pedestrian Ways. When necessary for public convenience and safety, the planning commission may require the partitioner or subdivider to dedicate to the public pedestrian ways 10 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, or to provide access to schools, parks, or other public areas, of such design and location as reasonably required to facilitate pedestrian travel.

4. Easements for Utilities. Dedication of easements for stormwater sewers and for access thereto for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water, and dedication of easements for sanitary sewers and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this chapter. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partition or subdivision area, a lesser width may be allowed, in the discretion of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

All proposed blocks are laid out less than 600 feet in width.

As stated under JCMC 16.05.050(A)(10), street stubs are proposed at the northern and southern property lines to ensure proper alignment with future development. As part of the Phase-1 Subdivision proposal, street stubs are proposed to the west and south in order to continue the network throughout

the proposed Rolling Meadows PUD. Street connections to Oaklea Drive are required to match the existing 10th Ave intersection as stated in the Lane County Conditions of Approval.

The proposed Phase-1 Subdivision plat includes a "Tract B" lot, providing a pedestrian and emergency vehicle access connection from Alderdale Drive to Oaklea Drive.

Proposed utility easements are shown on the Tentative Plat for Phase-1 of the PUD. The applicant is proposing a 10 foot Public Utility Easement (PUD) for single family detached homes.

- Where required, easements for access and utilities shall be dedicated on the final plat for each phase.

D. Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least five feet in height, and shall be set back at least three feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum of two inches in caliper at planting) shall be provided for each 50 lineal feet of frontage. At the time of application review, the planning commission may also require additional subdivision perimeter fencing, retaining walls, or other perimeter treatment in order to address privacy, stormwater runoff, or other issues relating to compatibility with adjacent properties.

The applicant proposes a sight obscuring and sound protecting fence with landscaping along Oaklea Drive and along 10th Ave where the rear yards of lots abut to the street. The fence height and type will be coordinated with the City at the time of subdivision construction plan approval.

E. Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

1. Size and Frontage.

a. General Requirements.

i. Width. Each lot shall have an average width between the lot side lines of not less than 60 feet. Each corner lot and each authorized key lot and butt lot shall have an average width between the lot side lines of not less than 65 feet.

ii. Depth. Each lot shall have an average depth between the lot front line and the lot rear line of not less than 80 feet and not more than two and one-half times the average width between the lot side lines. Each double frontage lot shall have an average depth between the lot front line and lot rear line of not less than 120 feet, unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions.

iii. Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

iv. Frontage. Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

v. Reverse Frontage.

(A) Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with lower functional classification.

(B) When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed (reserve strip). A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.

b. Exceptions*.*

i. Partition or Subdivision Area Developed as a Unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partition or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partition or subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this chapter.

ii. Land Zoned for Commercial or Industrial Use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this chapter.

iii. Parcel or Lot Retained for Future Partition or Subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.

The applicant is submitting a PUD application that allows a 15% reduction in lot density based on the criteria at JCMC 17.65.060(C)(2)(c). Therefore the minimum lot width in the R-1 and R-2 zones will be

50 feet, with the minimum lot width abutting a side street being 55 feet. The minimum lot size in the R-1 Single Family Residential Zone will be 5000 Square Feet, with the minimum lot size in the R-2 Duplex Residential Zone being 4500 Square Feet. All lots within the proposed R-1 Single Family Residential Zone will have a minimum of 50 feet of frontage, and the R-2 Duplex Residential Zone will have a minimum of 45 feet of frontage, with the exception of cul-de-sac lots which have a minimum curved frontage length of 35 feet. Findings under JCMC Chapter 17.65 address this criterion in further detail.

All interior lots on the proposed master plan are 100 feet in depth. Lots abutting Oaklea Drive are 120 feet in depth.

The applicant is proposing to dedicate over ½ acre for a park area in accordance with these regulations in response to relaxing the lot size and frontage requirements. This exception is addressed in further detail under the Findings at JCMC 17.65.060(C)(2)(c)

The property associated with this application is not zoned commercial or industrial. The current proposal does not include any commercial or industrial use types.

The medium and high density properties proposed under the PUD application are being retained for future development, however the lot sizes and shapes are designed so that no exception is necessary.

2. Key Parcels or Lots and Butt Parcels or Lots. There shall be no key parcels or lots nor butt parcels or lots, except where authorized by the planning commission where such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.

No Key lots or Butt lots are proposed with this application. Therefore this criterion does not apply.

3. Parcel and Lot Side Lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.

To the greatest extent possible, all lot lines are either radial or perpendicular to the street right of way.

4. Suitability for Intended Use. All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this chapter.

All proposed lots are designed to meet the Junction City zoning regulations and provide for the health, safety, and sanitary needs of the future residents.

5. Future Partitioning or Subdivision of Parcels or Lots. Where the partition or subdivision will result in a parcel or lot one-half acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission

may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made without violating the requirements of this chapter and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street locations shall be made a matter of record, if the planning commission deems it necessary for the purpose of future subdivision.

The medium and high density zoned parcels proposed as part of the Rolling Meadows PUD shall be subject to future Subdivision approvals. Preliminary lot lines are shown for the low and medium density zoning on the PUD master plan, however they are not required as part of the Phase-1 Subdivision application as the preliminary plat does not include parcels or lots 1/2 acre or larger in size. Because the high density zoning has many different uses that may be proposed, from apartments, cluster developments, and neighborhood commercial uses, no lot lines are being shown. However, the high density parcel is bounded by development and street right of ways. All future Phases and lots associated will be subject to the relevant criteria and will be required obtain Preliminary Subdivision approval through the Junction City Planning Commission.

6. Panhandle Lots. Panhandle lot configurations shall not be utilized in new subdivisions. The planning commission may authorize exceptions from frontage requirements for panhandle lots in the R1 and R2 zones only in established neighborhoods;

No Panhandle Lots are proposed as part of this Subdivision application. Therefore, the criteria listed under JCMC 16.05.050(E)(6) are not applicable.

F. Drainage. Where land in the partition or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any water course, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefor approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

Should the preliminary subdivision be approved by Junction City, a drainage plan will be designed with the construction drawings for each phase of the subdivision. The overall plan will be to provide master drainage facilities designed to service the entire development, with expansion of the system being constructed with each phase. The drainage facilities will be located on the west side of the development, with runoff discharge being routed to Flat Creek. No stormwater runoff shall be diverted into any Lane County Public Works Facility.

G. Railroads.

No railroads are within or adjacent to the proposed development. Therefore, the criteria listed under JCMC 16.05.050(G) are not applicable.

H. Partial Development. Where the partition or subdivision area includes only a part of the tract owned by the partitioner or subdivider, the planning commission may require a sketch of a tentative layout of streets in the remainder of said tract.

The applicant has submitted a PUD Master Plan Map covering all properties owned by the subdivider, outlining a preliminary layout of the proposed streets and properties.

I. Recreational Area. The planning commission, after council approval first having been obtained, may require, as a condition of approval of the subdivision, either:

1. The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every 100 people of the ultimate population in the subdivision; or

2. The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued.

In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs.

All moneys received from the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.

The PUD master plan is developed with approximately 19 acres of open space, the majority of which reside on the west side of the subject site. A proposed ½ acre park is being dedicated within phase 3 of the development near the higher density areas. A system of recreational trails will be developed within the wetland area, providing greater than one acre of open space for every 100 people within the proposed Planned Unit Development. <u>No recreation areas have been proposed as part of the Phase-1 Subdivision application.</u> The 41 parcel subdivision would have an approximate population of 101 individuals (41 units x 2.48 average population per dwelling unit) at build-out. The proposed Phase-1 Subdivision is outside of the recommended 0.25 mile radius from all nearby Junction City pocket parks, as defined by the Comprehensive Plan.

J. Building Lots Filled. All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of the Oregon Structural, Specialty and Fire and Life Safety Code.

The applicant states that all lots requiring fill will be done so in accordance with accepted engineering practices including property compaction and structural fill requirements.

K. Finish Floor Elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.

A minimum finished floor elevation will be set with the final construction grading plan for the project. The minimum finished floor elevation shall be listed on the final plat for each phase.

L. Utility Access. All accesses to utilities are to be brought to finish grade.

All utilities shall be designed and installed so that lids and risers are at finished grade.

16.05.070 Modification of provisions.

The applicant has not requested any modifications under JCMC 16.050.070. Therefore, these criteria do not apply to the subdivision request.

16.05.080 Appeals.

The applicant is not requesting an appeal at this time. Therefore, Therefore, the criteria listed under JCMC 16.05.080 do not apply to the current subdivision request.

Conditions of Approval

Junction City Planning Department, contact: Jordan Cogburn, City Planner, jcogburn@ci.junction-city.or.us, 541-998-4763

1. In order to ensure the PUD is completed as submitted, a performance bond shall be submitted for open space improvements prior to final PUD approval.

2. A Wetland Enhancement Plan approved by Division of State Lands shall be provided as associated with each phase of the development.

3. The proposed entry sign shall be installed as part of Phase-1 of the PUD, in accordance with a Junction City approved sign permit.

4. In order to ensure a park area is available to residents of the PUD as it develops, the park shall be developed no later than Phase III. Alternatively, the private park may be developed no later than Phase IV if the public park has been fully improved consistent with the adopted Parks and Open Space Master Plan.

5. Development and construction on the site shall conform substantially to the preliminary PUD plans submitted and PUD conditions approved by the Planning Commission (PUD-14-01). In addition the following applies:

- Density of the proposed development shall not increase over the 15% adjustment allowed under 17.65.060(C)(2)(c)
- Public park acreage shall not be less than that proposed
- Open space tracts and wetland preservation area acres shall not be less than that proposed
- No panhandle lots shall be allowed
- All development shall comply with Public Works Design standards and Variances to these standards as approved.

6. The applicant shall record a dedicated reserve strip at the phase line on the subdivision plat prior to each final plat approval.

7. The applicant shall revise the proposed alignment for the extension of West 10th Avenue for review and approval prior to final approval.

8. Prior to Final PUD approval the applicant shall dedicate or cause to be dedicated, by instrument approved by the City, the proposed right-of-way for the extension of West 10th Avenue and shall construct West 10th Avenue.

9. All street stubs shown on the preliminary subdivision plat shall be provided with a turn-around prior to final plat approval. Removal of the turn-around shall be at the option and cost of the owner of the lot where the turnaround is located.

10. Street trees shown on the Master Plan Map shall be detailed in the required landscaping plan at the time of final PUD submittal.

11. Where required, easements for utilities shall be dedicated on the final plat for each phase.

Junction City Public Works Department, contact: Gary Kaping, Public Works Superintendant, gkaping@ci.junction-city.or.us, 541-998-3125

1. 10th street shall be a full width street with curb, gutters, and sidewalk on the south side and curb and gutter at the minimum on the north side.

2. The zone of benefits for the Oaklea Meadows pump station shall be paid in full prior to building permit issuance of the first phase of development.

Lane County Public Works, contact: Dan Ingram P.E., P.L.S., Senior Engineering Associate, daniel.ingramm@co.lane.or.us

1. The applicant shall revise the proposed alignment for the extension of West 10th Avenue for review and approval by Lane County prior to development approval. The new connection of West 10th Avenue on the west side of Oaklea Drive shall be revised to meet minimum intersection standards. Offset intersections shall meet the requirements of LC 15.137(6)(b).

2. The applicant shall construct one half street improvements along the development frontage on Oaklea Drive. Half street improvements to Oaklea Drive shall at a minimum be constructed concurrently with each adjoining phase of the development.

3. The applicant shall construct a 12 foot wide continuous Two-Way-Left-Turn-Lane (TWLTL) on Oaklea Drive along the entire frontage of the development. The TWLTL design shall provide for reasonable vehicle storage for southbound traffic at the intersection of West 10th Avenue (minimum 50 feet), and shall provide pavement tapers to the north. The design shall provide tapered widening south of West 6th Avenue for northbound traffic, subject to right-of-way limitations to the south. The design shall also provide striped vehicle storage (minimum 75 feet) for northbound traffic at West 6th Avenue and a striped taper for southbound traffic. Pavement tapers for the TWLTL on Oaklea Drive shall be designed to meet minimum AASHTO standards and shall be approved by Lane County prior to construction.

4. The applicant shall construct improvements to the easterly side of Oaklea Drive to provide functional two-way-left-turn-lanes (TWLTL) and tapers, to service the intersection of Oaklea Drive and 10th Avenue, improvements shall as a minimum timeline be constructed concurrent with Phase 3. Improvements to the westerly and easterly side of Oaklea Drive to complete the functional two-way-left-turn-lanes (TWLTL) and tapers for the remaining portion of the development, shall as a minimum timeline be constructed during Phase 4, and shall be completed no later than when Breckenridge Drive is connected from Phases 1-3 to 6th Avenue which is connected to Oaklea Drive. The said phasing corresponding to the applicant provided Master Plan.

5. The applicant shall construct ADA compliant ramps, sidewalk landings and all necessary associated curbs at all four corners of the Oaklea Drive intersections with West 6th Avenue and West 10th Avenue. Sidewalk and ramps at the northeast corner of West 10th Avenue shall be connected to existing sidewalks immediately east of the intersection. The said pedestrian improvements shall be constructed in conjunction with each phase of the adjacent roadway improvements.

6. The applicant shall construct bike lanes as part of the west side half street improvements. The said bike lanes shall meet the requirements of LC 15.702(9)(a) and LC 15.702(9)(b). Lane County will not require bike lanes to be marked as required by LC 15.709(c) until such time as full width improvements have been completed on the east side of Oaklea Drive.

7. The applicant shall provide striping and related stripe removal as necessary to facilitate each phase of construction, as well as for the final design configuration of Oaklea Drive. Striping shall include required transition tapers, fog line, left turn lanes etc. Specific striping plans shall be submitted for review and approval for each phase of the work at the time of facility permit application.

8. As shown on the applicant provide Master Plan and Tentative Plat Rolling Meadows Phase 1, the applicant shall dedicate sufficient right-of-way to maintain a minimum 35 feet of right-of-way along the development frontage on the west side of the centerline of Oaklea Drive and such other right-of-way as may be required to construct the required improvements.

9. The applicant shall construct 11 foot wide travel lanes on Oaklea Drive, consistent with LC 15.702(5).

10. Curbside sidewalks shall be 6 foot minimum, excluding the curb, consistent with LC 15.702(8).

11. Except as modified within these conditions of approval, the applicant shall construct all required improvements to Oaklea Drive to meet the minimum urban collector standards of LC 15.702.

12. A Lane County Facility Permit shall be required for placement of facilities within the right-of-way of Oaklea Drive. Facilities and development includes, but is not limited to, road improvements, sidewalks, new or reconstructed driveway or road approach intersections, utility placements, excavation, clearing, grading, culvert placement or replacement, storm water facilities, or any other facility, thing, or appurtenance [LC 15.205(1)].

    A Lane County Facility Permit shall be required for the following:

    - Construction of the new intersections at West 6th Avenue and West 10th Avenue.
    - Construction of emergency and pedestrian accesses known as Tract 'B' and Tract 'E'.
    - Construction of all storm water an road improvements to Oaklea Drive.
    - Striping and any related stripe removal on Oaklea Drive.
    - Any other work within the right-of-way of Oaklea Drive.

    As part of the Facility Permit process, the applicant shall provide Engineering drawings for Lane County review and approval for each phase of the work prior to the issuance of Facility Permits.

13. Storm water runoff from private property shall not be directed to the Lane County road right-of-way, or into any Lane County drainage facility, including roadside ditches. Ditches adjacent to County roads are designed solely to accommodate roadway storm water runoff.

    The applicant shall submit Storm Water Design plans, necessary reports and calculations as required for Lane County permit staff review and approval of storm water facilities on Oaklea Drive. Please coordinate with Lane County Senior Engineering Associate, Brad Lemhouse at (541) 682-6928 for review and approval of the storm water design. Lane County storm water design approval shall be required prior to approval of this development.

Staff Findings:

Based upon the available information, Staff Findings, and the Conditions of Approval set forth above, it is concluded that the Planned Unit Development (PUD-14-01), Subdivision (SUB-14-01), and Conditional Use (CUP-15-01) applications will satisfy the applicable Preliminary Approval criteria set forth within the JCMC. Subsequent PUD and Subdivision approvals will be subject to the relevant criteria listed within the JCMC as well as Planning Commission Conditions of Approval. A number of additional informational items related to the Preliminary Approval process stated under JCMC 17.65.060 are also included below, for the applicant's benefit.

For information contact:

Jordan Cogburn, City Planner
541-998-4763

jcogburn@ci.junction-city.or.us

Informational Items:

- A preliminary approval fee will be required at the time of Planning Commission preliminary approval.

- All future development and proposed uses shall comply with the nuisance provisions set forth under the JCMC.

- Preliminary Subdivision Plan approval is subject to the review, comments and conditions of all affected agencies, including: Lane County, State of Oregon, Junction City School District, Junction City Water Control District, Junction City Fire District, and all applicable Federal agencies.

- For more information regarding Lane County Facility Permits, please contact Lane County Right-Of-Way Services at 541-682-6902 or visit: http://www.lanecounty.org/Departments/PW/Engr/RightofWay/Pages/rowpermits.aspx

BURDEN OF PROOF STATEMENT FOR APPLICATION FOR ROLLING MEADOWS PUD AND PHASE 1 SUBDIVISION APPROVAL JUNCTION CITY, OREGON

Applicant:	Hayden Homes 2464 SW Glacier Place, Suite 110 Redmond, OR 97756 Phone: (541) 888-0985
Owner:	Oaklea Enterprises, Inc 1210 Rose St Junction City, OR 97448
Representatives:	Rhine-Cross Group, LLC 112 N 5th Street, Suite 200 PO BOX 909 Klamath Falls, OR 97601 Phone: (541) 851-9405
Location:	The property is located along the west side of Oaklea Drive, between 6th and 10th Streets on the west side of Junction City, Oregon.
Address:	94262 Oaklea Drive, Junction City, OR 97448
Reference Parcel No.:	Tax Lot 2400 & 2500, T15S, R4W Section 31
Comp. Plan Designation:	Residential Mix – Low, Medium, and High Densities
Zoning Designation:	R1 – Low Density Residential (±38 acres) R2 – Medium Density Residential (±9 acres) R3 – High Density Residential (±1 acre) Street Area – (±18 acres) Open Space – (±19 acres)
Property Size:	±85 Acres
Proposal:	Master Plan of the entire 85 acres and a Subdivision application for the first phase of the subdivision including 41 single family residential lots ranging in size from 5000 sq.ft. to 8500 sq.ft.
Date:	March, 2015

PROJECT OVERVIEW & DESCRIPTION

The applicant intends to develop the site as a Planned Unit Development, in accordance with the requirements set for the site during the annexation of the property into the Junction City Limits. The development will be named Rolling Meadows, and a master plan showing the proposed street layout and the underlying development of the mix of zoning is being provided with the application.

The 86 acre property is located within the City limits on the west side of Junction City, Oregon. The site is bounded to the East by Oaklea Drive beyond which are sited rural residential properties, zoned Low Density Residential (R1). To the North is partially developed residential property known as "The Reserve at Junction City", which is partially developed with Phase 1. To the west is City owned property that contains the sanitary sewer treatment facility. The properties located on the South side of the subject property are larger (roughly 40 to 100-acre) properties that are outside of the City Limits and zoned Farm Use by Lane County. The site enjoys direct access to Oaklea Drive directly across from the intersecting roads of 6th and 10th Avenues.

The site is currently undeveloped and is being used for farming practices. An older farm house and several barns and outbuildings exist on the northeast corner of the site with overgrown blackberries surrounding the structures. Fire protection services are provided by the Junction City Rural Fire District. The site is located within the Junction City limits for water service and sanitary sewerage district, and is located within the Junction City Water Control District for storm water management. Other utilities readily available are power, gas, telephone, and cable TV all existing within the right of way of Oaklea Drive.

The site consists of Coburg silty clay loam (#31 – 32.7 acres), Malabon silty clay loam (#75 – 23.3 acres), Awbrig silty clay loam (#5 – 14.2 acres), Salem gravelly silt loam (#118 – 8.6 acres), and Conser silty clay loam (#33 – 6.2 acres), with hydrologic soil classifications ranging from B to D. The site is currently being farmed for grass seed, with a mix of weeds and blackberries covering the areas not being farmed. The site is "located" on Panel No. 41039C – 0605F of the Flood Insurance Rate Map (FIRM) for Lane County. The western 100-200 feet is located within Zone A of the flood map, however this area is within land that is delineated as a wetland and will remain as open space within the development. All residential development will be outside of the mapped flood plain and homes will have a minimum floor elevation that must be met.

The subject property is currently designated as Residential with a mix by the Junction City Comprehensive Plan with the requirements of 1 acre high density residential (R3), 9 acres of medium density residential (R2), approximately 38 acres of low density residential (R1), with the remainder of the 85 acres being streets, wetland, and open space. The applicant is proposing a PUD master plan with approximately 349 lots ranging in size from 5000 sq.ft. to 8500 sq.ft. The concurrent subdivision application is for phase one includes approximately 41 low density residential lots.

This application for a Planned Unit Development (PUD) and a Land Subdivision is subject to both City and State criteria and standards and is processed by the City administratively and is reviewed by the Planning Commission and City Council, pursuant to Junction City Municipal code. Accordingly, the applicant shall address all of the applicable criteria and standards of the Junction City Municipal code that pertain to PUD's and land subdivisions. As required by the City's land subdivision review process and by the State, the applicant shall also address the applicable criteria and standards of the Oregon Administrative Rules (OAR) and the Oregon Revised Statutes (ORS), particularly the elements of these State rules and statutes that apply to subdividing land.

JUNCTION CITY MUNICIPAL CODE

1. TITLE 16: SUBDIVISIONS

16.05.040 Subdivisions and major partitions.

A. Submitting Preliminary Plan. A preliminary plan shall be submitted to the secretary of the planning commission attached to an application for approval in the form prescribed by the city together with 19 additional copies of the preliminary plan.

> **Response:** The applicant is submitting a preliminary master plan for the entire property as well as a preliminary subdivision plan for Phase 1 of the development. The applicant will initially submit 4 copies to the planning department, and once deemed complete, the remainder of the required plans will be delivered to the City.

B. Preliminary Plan Requirements.

1. Drafting.

a. The preliminary plan shall show all pertinent information to scale. The drawing shall be on standard size sheets 18 inches by 27 inches and at a scale of one inch equals 100 feet. The scale may be increased or decreased, if necessary to fit the drawing to the required plan size of 18 inches by 27 inches; but in all cases the scale shall be standard, being 10, 20, 30, 40, 50, or 60 feet to the inch, or multiples of 10 of any one of these scales.

b. Preliminary plans shall be prepared by an Oregon-licensed land surveyor. An affidavit of the preparer shall be furnished as a part of the preliminary plan submitted.

2. Information Required. The preliminary plan shall, in clear and legible form, include the following information with respect to the proposed subdivision or major partition area, on the plan where practicable, and otherwise on separate sheets of paper in written statement:

a. The proposed name of the proposed subdivision or major partition area, which shall conform to the standards set forth in ORS 92.090.

b. The date, north point, and scale of the drawing, and a sufficient description to define the location and boundaries of the proposed subdivision area, and the names of all recorded plats of land contiguous to such area.

c. The names and addresses of the subdivider or partitioner, owner and engineer or surveyor.

d. The location of existing and proposed right-of-way lines for existing or projected streets, pedestrian and bicycle facilities, including accessways, as shown on the master road plan.

e. The locations, names, widths, and typical improvement cross-sections of all streets, existing or proposed to be created, and the grades of existing streets, and the estimated finished grades of streets proposed to be created.

f. The elevations of all points used to determine contours correctly shown, and the base data thereof used by the surveyor, having the following intervals:

i. One-foot contour intervals for ground slopes up to five percent.

ii. Two-foot contour intervals for ground slopes between five percent and 10 percent.

iii. Five-foot contour intervals for ground slopes exceeding 10 percent.

g. The approximate width and location of all existing and proposed easements for public utilities, and all reserve strips proposed to satisfy requirements which may be imposed by the planning commission under JCMC 16.05.050.

h. The approximate radii of all curves.

i. The approximate dimension and area of all proposed lots or parcels.

j. The approximate location of areas subject to inundation of stormwater overflow, and all areas covered by water, and the location, width, and direction of flow of all water courses.

k. The existing and proposed uses of the property, including the location of all existing structures which the subdivider or partitioner intends will remain in the proposed subdivision or partition area.

l. All proposals for sewer lines, flood control, and easements or deeds for drainage land, including profiles of proposed drainage ways and direction of flow.

m. All public area proposed to be dedicated by the subdivider or partitioner and the proposed uses thereof.

n. All improvements proposed to be made or installed, and the time within which said improvements are proposed to be completed.

o. A legal description of the boundaries of the entire tract and acreage owned by the subdivider or partitioner of which the proposed subdivision or partition area is a part; provided, that where the proposed subdivision or partition area comprises all of such tract, an affidavit of such fact shall accompany the preliminary plan.

p. The information, conditions and standards set forth in ORS 92.090(1) and (2).

q. The maximum area of each which may be occupied by buildings.

r. The approximate boundaries of and the proposed sequencing of phases in the subdivision, if phasing is proposed.

Response: The applicant is submitting a preliminary development plan for the subdivision that meets all of the above requirements. All plans and reports will be developed by a professional engineer or land surveyor registered in the State of Oregon.

C. Review of Preliminary Plan.

1. Within two days after a preliminary plan is duly submitted, under subsection (A) of this section, the secretary of the planning commission shall distribute copies thereof to the city recorder and the superintendent of public works, for their review.

2. Coordination of Review.

a. The review of the preliminary plan of any subdivision or major partition shall be coordinated with all of the following entities which are affected by the plan: Lane County, state of Oregon, federal agencies, Junction City school district and Junction City water control district.

b. The coordination shall include submitting a copy of the preliminary plan to all the agencies described in subsection (C)(2)(a) of this section which will be affected by the plan, together with a request that the entity submit to the planning commission the entity's comments and recommendations about the preliminary plan. The entity shall be presumed to have agreed with the plan if it fails to respond to the request within 20 days after the plans were mailed to the entity.

Response: The preliminary plan will be reviewed by Junction City according to the above guidelines.

D. Approval of Preliminary Plan.

1. Consideration of Preliminary Plan. The planning commission shall consider the preliminary plan and the responses of agencies with which review of the plan is required and coordinated. The preliminary plan shall be approved by a majority of a quorum of the planning commission after the responses have been considered to the extent required by any agreement with any of the coordinating agencies if the planning commission determines that the preliminary plan conforms in all respects to the requirements of this chapter and Oregon law.

2. Effect of Approval. After such approval of the preliminary plan, the subdivider or partitioner may proceed with final surveying, subdivision or partition construction, and preparation of the final plat or map. Approval shall be effective for a period of two years, and if the final plat or map is not

submitted to the secretary of the planning commission, under subsection (E) of this section, within such time, the preliminary plan shall be submitted again under subsection (A) of this section and the entire procedure provided thereafter shall be repeated for consideration of any changed conditions which may exist. Upon application, the approval of the preliminary plan may be extended for up to two years by the planning commission if the applicant is making progress on the subdivision plat application.

Response: The preliminary plan will be reviewed by Junction City according to the above guidelines.

E. Submitting Final Major Partition Map and Subdivision Plat.

1. Time for Submitting. A final map or plat shall be submitted by the partitioner or subdivider to the secretary of the planning commission for a major partition or subdivision or any phase prior to the expiration of the tentative plan approval, together with three additional copies of the final plat. No plat or map may be submitted for planning commission consideration and approval unless a preliminary plan for the subdivision or major partition area described thereon has theretofore been duly submitted by such partitioner or subdivider and approved by the planning commission, as provided by this title.

2. Materials to Accompany Final Map or Plat.

a. Traverse Computation Sheets. The registered engineer or licensed land surveyor signing the surveyor's affidavit of the map or plat shall submit traverse computation sheets for the use of the county surveyor in checking the map or plat, which sheets shall include the calculation of each course distance by latitude and departure of all the boundary lines and of all parcel and lot lines in the major partition or subdivision area, and for all boundaries and all parcels and lots in the map or plat which are not completely rectangular in shape. Each course and distance, and each latitude and departure, shall be tabulated on the traverse computation sheet in the proper order to show the closure limits of each area; and rectangular coordinates of every angle point shall be extended and shown from a single meridian and from a single point of origin.

b. Deed Restrictions. A copy of all protective deed restrictions proposed for the major partition or subdivision area shall also accompany the map or plan.

Response: Should the preliminary plan be approved by Junction City, the applicant shall submit a final subdivision plat in accordance with the above guidelines.

F. Map or Plat Requirements.

1. Drafting. The map or plat shall be drawn in black india ink on good quality, white, cold-pressed, double-mounted drawing paper 18 inches by 24 inches, with muslin extending three inches at the left end for binding purposes. The map or plat shall be of such scale, and the lettering of the approvals thereof, and the dedication and affidavit of the surveyor, shall be of such size or type as will permit the whole thereof to be placed upon one single sheet of paper. The error of closure shall not exceed one foot in 4,000 feet. No part of the drawing shall be nearer to the edge of the sheet than one inch. All of the map or plat shall be on one side of the sheet, except the dedication or other written matter may be on the other side.

2. Information Required. The map or plat shall, in clear and legible form, contain the following information with respect to the subdivision area:

a. An accurate map describing the boundaries of all contiguous land in which parcels or lots less than five acres in size or less than 300 feet in width at any point will be created by the map or plat; provided, that the planning commission may authorize the exclusion of any such land where it determines any such exclusion will be in accordance with the purpose of this chapter.

b. The length of all chords, radii points of curvature, and tangent bearing.

c. The parcel or lot lines of all parcels or lots within the major partition or subdivision area, with dimensions in feet and hundredths of feet, and with all bearings shown.

d. Numbers designating each block and lot, lots in each block to be numbered consecutively.

e. Where the plat is an addition to a plat previously recorded, numbers of blocks and lots in consecutive continuation from such previous plat.

f. The description and location of all permanent reference monuments.

g. An affidavit of an Oregon licensed land surveyor, and who surveyed the subdivision area, conforming to the requirements of ORS 92.070.

h. The date, north point, and scale of the drawing, and a sufficient description to define the location and boundaries of the subdivision area.

i. The locations, names, and widths of all streets, existing or being created.

j. The width and location of all existing easements for public utilities, and such easements being created, and also all reserve strips required by the planning commission under JCMC 16.05.050.

k. A designation of all areas covered by water, and the location, width, and direction of flow of all water courses.

l. A designation of all area being dedicated by the partitioner or subdivider, including its proposed use, and an effective written dedication thereof.

Response: Should the preliminary plan be approved by Junction City, the applicant shall submit a final subdivision plat in accordance with the above guidelines.

G. Review of Final Plat by Other Departments. Within two days after a map or plat is duly submitted under subsection (E)(1) of this section, the secretary of the planning commission shall distribute a copy thereof to the county surveyor. Not more than four days thereafter, he shall return the copies to the planning office, together with any comments or information they deem necessary for the public benefit.

Response: Should the preliminary plan be approved by Junction City, the applicant will submit a final subdivision plat to the City for distribution to other departments as required.

H. Approval of Final Map or Plat.

1. Consideration of Final Map or Plat. The planning commission shall consider the final map or plat with the approved preliminary plan and the reports of the county surveyor. The final map or plat shall be approved by a majority of a quorum of the planning commission, if the planning commission determines that:

a. The map or plat conforms in all respects to the platting laws of the state and to the requirements of this chapter; and

b. Either:

i. Improvements, as required by this chapter, have been completed, and a certificate of such fact has been filed with the planning commission by a duly licensed engineer; or

ii. A performance agreement which states a timetable for completion of all improvements must be submitted to and accepted by the planning commission at the same time a performance bond is offered for acceptance by the city, which performance bond must be filed with the city recorder in sufficient amount to ensure the completion of all required improvements; and

c. Streets and alleys are dedicated to the public use without any reservation or restriction whatever; and

d. All taxes and assessments with respect to the subdivision or major partition area have been paid.

2. Acknowledging Approval. Such approval of the map or plat shall be evidenced by the signatures thereon of the chairman and the secretary of the planning commission, with the date of such approval.

3. Approval shall be effective for a period of 90 days; and if the map or plat is not offered for record by the partitioner or subdivider in the office of the county clerk within such time, the map or plat shall be submitted again to the planning commission under subsection (A) of this section, and the entire procedure provided thereafter shall be repeated for consideration of any changed conditions which may then exist.

I. Delivery of Final Map or Plat to County Clerk. If the map or plat is for statutory subdivision, the secretary of the planning commission shall deliver the map or plat to the county surveyor, who shall complete the necessary steps for filing, in accordance with county and state requirements for subdivisions. [Ord.1170 §§ 1, 2, 3, 2007; Ord. 1103 § 1, 2002; Ord. 809 § 4, 1980.]

Response: Should the preliminary plan be approved by Junction City, the applicant shall submit a final subdivision plat for review by the City in accordance with the above guidelines.

16.05.050 Platting and mapping standards.

A. Streets.

1. Dedication.

a. Generally. The planning commission may require adequate and proper streets, including arterials, collector streets, local streets, and other streets, to be dedicated to the public by the partitioner or subdivider, of such design and in such location as are necessary to facilitate provision for the transportation and access needs of the community and the partition or subdivision area, in accordance with the purpose of this chapter.

Response: All streets and roads shown on the preliminary subdivision plan will be dedicated to the City at the time of final plat approval.

b. Master Street Plan.

i. Submitting Plan. The planning commission shall prepare and submit to the council a master street plan or plans and amendments thereto, for the city or such portions thereof as necessary, indicating streets and street systems needed to provide for the transportation needs of the community in its normal growth.

ii. Adoption of Plan. Upon adoption and approval by the council of any such plan or amendment thereto, as from time to time may be submitted by the planning commission, a copy shall be kept in the planning office for the use and information of the general public.

iii. Effect of Adoption. Any such plan or plans and amendments thereto adopted by the council shall be considered by the planning commission to be a correct designation of the transportation, access, and safety needs of the area or areas included with respect to the streets designated thereon, for the purpose of determining design and location of streets to be required under JCMC 16.05.040, unless convincing evidence to the contrary is presented to the planning commission.

Response: The applicant is submitting a PUD master plan showing street alignment for the entire property, however only Phase 1 of the subdivision is being tentatively approved with this application. The master plan is laid out to minimize dead end streets and maximize cross circulation within the subdivision so that no one road becomes the main thoroughfare within the development. 10th Ave and 6th Ave will be connected to Oaklea Drive directly adjacent to where the intersections exist presently.

2. Width.

a. Generally. Widths of street right-of-way and paving design for streets shall be not less than those set forth in the table below; except that for a street abutting land not in the partition or subdivision area a lesser width may be allowed, in the discretion of the planning commission, where the partitioner or subdivider presents a satisfactory plan whereby such street will be expanded to the width otherwise required.

b. Existing Adjacent Street. The widths of street right-of-way provided in the table below shall be the minimum widths of right-of-way for streets existing along and adjacent to any boundary of the partition or subdivision area; and the partitioner or subdivider shall dedicate additional right-of-way, as determined by the planning commission in accordance with such table, for any such adjacent street where the existing width of right-of-way for such street is less than the minimum in such table.

c. Slope Easements. Slope easements shall be dedicated in accordance with specifications adopted by the council under this section:

Table 16.05.050: Street Standards

Type of Street	***Right-of-Way Width***	***Paving Width ****	***Sidewalk Width *****	***Bike Lane Width***
Arterials	*60' – 120' ********	*36' – 52'*	*6.5'*	*6'*
Major and Minor Collector Streets	*50' – 80' ********	*34' – 46'*	*5.5'*	*6' (if required)*
Local Streets	*40' – 60'*	*20' – 36'*	*5.5'*	*Not required*
Other Local Streets	*40' – 60'*	*20' – 36'*	*5.5'*	*Not required*
Cul-de-Sacs	*40' – 50'*	*28' – 36'*	*5.5'*	*Not required*
Cul-de-Sacs Bulb	*92' ******	*70' ******	*5.5'*	*Not required*
Hammerhead or "T" stubs	*30' "T" end*	*15' – 20'*	*5.5'*	*Not required*

** Paving measured from inside of curb to inside of curb.*

*** Includes six-inch curb width.*

**** Measured by diameter of circle constituting circular end.*

***** The planning commission may require a width within the limits shown based upon adjacent physical conditions, safety of the public, and the traffic needs of the community, and in accordance with specifications adopted by the council under this section.*

Response: All streets are proposed within the subdivision to be Local streets. The streets will match the streets within the recently developed Reserve at Junction City with 50 foot right of way, 36 foot paved width, (2) 5.5 foot curb and sidewalk (attached). Oaklea Drive will be improved to a 22' half width street section in accordance with Lane County requirements.

3. Reserve Strips. The planning commission may require the partitioner or subdivider to create a reserve strip controlling the access to a street, said strip to be placed under the jurisdiction of the council, when the planning commission determines that a strip is necessary:

a. To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly partitioning or subdivision of land lying beyond the street; or

b. To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards provided in the table of subsection (A)(2)(c) of this subsection; or

c. To prevent access to land abutting a street of the partition or subdivision, but not within the tract or parcel of land being partitioned or subdivided; or

d. To prevent access to land unsuitable for building development.

Response: Each phase of the development will dedicate a reserve strip of land at the phase line as required by this section.

4. Intersections of Streets.

a. Angles. Streets shall intersect one another at an angle as near to a right angle as is practicable, considering topography of the area and previous adjacent layout; where not so practicable, the right-of-way and street paving within the acute angle shall have a minimum of 30-foot centerline radius where such angle is not less than 60 degrees. In the case of streets intersecting at an angle of less than 60 degrees, then of such minimum as the planning commission may determine in accordance with the purpose of this chapter.

b. Jogs. Intersections shall be so designed that no jog dangerous to the traveling public is created as a result of staggering of intersections; and in no case shall there be a jog of less than 100 feet between nearest or adjacent right-of-way lines.

Response: The streets are laid out to minimize dead end streets and maximize cross circulation within the subdivision so that no one road becomes the main thoroughfare within the development. All streets intersect at 90 degree angles with the exception of the most westerly road where the curve of the road follows the delineated wetland, where some intersections are at the 60 degree minimum. No intersections jog, and mid-block intersections are greater than 100 feet from each other as measured from the right of way lines.

5. Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions, in accordance with the purpose of this chapter.

Response: The topography of the land is relatively flat, with a slight slope from east to west toward Flat Creek.

6. Future Extension of Streets. Where the partition or subdivision area is adjacent to land likely to be partitioned or subdivided in the future, streets shall continue through to the boundary lines of the tract under the same ownership of which the subdivision area is a part, where the planning commission determines that such continuation is necessary to provide for the orderly partitioning or subdivision of such adjacent land, or the transportation and access needs of the community.

Response: Three street stubs are proposed at the northerly and southerly property lines. Street stubs are proved at the south property line even though this property is not within the UGB, however it would be likely to be annexed into the City in future UGB expansions. No streets are stubbed to the west where the property is owned by the City and utilized as a sanitary sewer treatment facility.

7. Cul-de-Sacs. There shall be no cul-de-sacs more than 400 feet long or serving more than 18 single-family dwellings. Each cul-de-sac shall have a circular end with a minimum diameter of right-of-way width and paving as shown in the table of subsection (A)(2)(c) of this subsection.

Response: Only three cul-de-sacs are proposed, both of which are less than 400 feet long and serve less than 18 Single Family Dwellings. The right of way and pavement widths will match those shown in table of subsection (A)(2)(c).

8. Street Names. Streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for streets that are not in alignment with existing streets are subject to approval by the planning commission and shall not unnecessarily duplicate or resemble the name of any existing or platted street in the city. All streets running in a generally north and south direction shall be named in alphabetical order to conform to the established pattern in the city.

Response: Street names match the numbered grid for east-west avenues, and match the alignment names for north-south drives as named in the Reserve at Junction City subdivision that lies to the north.

9. Grades and Curves. Unless otherwise approved by the planning commission because topographical conditions will not reasonably permit, grades shall not exceed six percent on arterials, 10 percent on collector streets, or 12 percent on all other streets. Centerline radii on curves shall not be less than 300 feet on arterials, 200 feet on collector streets, or 100 feet on all other streets.

Response: All streets will have grades less than 5% and centerline radiuses of less than 100 feet for the Local Streets.

10. Access Management.

a. Shared Access. Subdivisions with frontage on the state highway system shall be designed to have a shared access point to and from the highway. All such subdivision accesses shall be reviewed by the Oregon Department of Transportation.

Response: The property fronts Oaklea Drive, being a road under the jurisdiction of Lane County. No access to a road controlled by ODOT is proposed.

b. Connectivity.

i. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this section.

Response: Street stubs to the north will connect to planned streets within the Reserve at Junction City. The access points along Oaklea Drive are proposed to match the existing 6th Ave and 10th Ave intersections.

ii. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to provide access to abutting properties or to logically extend the street system into the surrounding area. All street stubs shall be provided with a turn-around. Removal of the turn-around shall be at the option and cost of the owner of the lot where the turnaround is located.

Response: As discussed previously, street stubs are proposed at the northern and southern property lines. No street stubs are proposed to the west since this property is owned by the City and contains the sewer treatment facility for the City.

iii. Minor collector and local residential access streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency and evacuation. Connections shall be designed to avoid or minimize through traffic on local streets.

Response: The access points along Oaklea Drive are proposed to match the existing 6th Ave and 10th Ave intersections.

B. Alleys.

1. Dedication. The planning commission may require adequate and proper alleys to be dedicated to the public by the partitioner or subdivider of such design and in such location as necessary to provide for the access needs of the partition or subdivision area in accordance with the purpose of this chapter.

2. Width. Width of right-of-way and paving design for alleys shall be not less than 20 feet, except that for an alley abutting land not in the partition or subdivision area a lesser width may be allowed, in the discretion of the planning commission, where the partitioner or subdivider presents a satisfactory plan whereby such alley will be expanded to the width otherwise required. Slope easements shall be dedicated in accordance with specifications adopted by the planning commission.

3. Corner Cut-Offs. Where two alleys intersect, 10-foot corner cut-offs shall be provided.

4. Grades and Curves. Unless otherwise approved by the planning commission where topographical conditions will not reasonably permit, grades shall not exceed 12 percent on alleys, and centerline radii on curves shall not be less than 100 feet.

5. Other Requirements. All provisions and requirements with respect to streets shall apply to alleys the same in all respects as if the word "street" or "streets" therein appeared as the word "alley" or "alleys," respectively.

Response: No alleys are proposed with this application, therefore this section is not applicable.

C. Blocks.

1. Block Length. Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet. The planning commission may allow exceptions where pedestrian pathways are utilized as mid-block connections between streets.

Response: All blocks are laid out less than 600 feet in width. The blocks along the delineated wetland and backing up to Oaklea Drive will have pedestrian mid-block connections to Oaklea Drive and the proposed trail system located along the wetland.

2. Street Connectivity. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

a. The proposed development shall include street connections in the direction of all existing or planned streets within one-quarter mile of the development site. The proposed development shall also include street connections to any streets that abut, are adjacent to, or terminate at the development site.

b. The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site.

c. The requirements of subsections (C)(2)(a) and (b) of this section do not apply if it is demonstrated that the connections cannot be made due to impact of natural resource areas such as wetlands, streams, or upland wildlife habitat area or where existing development on adjacent lands, including previously subdivided vacant parcels, precludes a connection now or in the future.

Response: As discussed previously, street stubs are proposed at the northern and southern property lines. No street stubs are proposed to the west since this property is owned by the City and contains the sewer treatment facility for the City. Street connections to Oaklea Drive are proposed to match the existing 10th Ave and 6th Ave intersections.

3. Pedestrian Ways. When necessary for public convenience and safety, the planning commission may require the partitioner or subdivider to dedicate to the public pedestrian ways 10 feet in width to connect to cul-de-sacs, to pass through oddly shaped or unusually long blocks, or to provide access to schools, parks, or other public areas, of such design and location as reasonably required to facilitate pedestrian travel.

Response: The blocks along the delineated wetland and backing up to Oaklea Drive will have pedestrian mid-block connections to Oaklea Drive and the proposed trail system located along the wetland.

4. Easements for Utilities. Dedication of easements for stormwater sewers and for access thereto for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water, and dedication of easements for sanitary sewers and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this chapter. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partition or subdivision area, a lesser width may be allowed, in the discretion of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

Response: Where required, easements for utilities will be dedicated on the final plat for each phase.

D. Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least five feet in height, and shall be set back at least three feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum of two inches in caliper at planting) shall be provided for each 50 lineal feet of frontage. At the time of application review, the planning commission may also require additional subdivision perimeter fencing, retaining

walls, or other perimeter treatment in order to address privacy, stormwater runoff, or other issues relating to compatibility with adjacent properties.

Response: A sight obscuring and sound protecting fence with landscaping will be proposed along Oaklea Drive and along 10th Ave where lots abut the rear yard to the street. The fence height and type will be coordinated with the City at the time of subdivision construction plan approval.

E. Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

1. Size and Frontage.

a. General Requirements.

i. Width. Each lot shall have an average width between the lot side lines of not less than 60 feet. Each corner lot and each authorized key lot and butt lot shall have an average width between the lot side lines of not less than 65 feet.

Response: The applicant is submitting a PUD application that allows a 15% reduction in lot density. Therefore the minimum lot width will be 50 feet, with the minimum lot width abutting a side street being 55 feet. See responses under Section 17.65 for further discussion.

ii. Depth. Each lot shall have an average depth between the lot front line and the lot rear line of not less than 80 feet and not more than two and one-half times the average width between the lot side lines. Each double frontage lot shall have an average depth between the lot front line and lot rear line of not less than 120 feet, unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions.

Response: All interior lots on the proposed master plan are 100 feet in depth. Lots backing up to Oaklea Drive are 120 feet in depth.

iii. Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

Response: The applicant is submitting a PUD application that allows a 15% reduction in lot density. Therefore the minimum lot size in the Low Density Zone will be 5000 sq.ft., with the minimum lot size in the Medium Density Zone being 4500 sq.ft. See responses under Section 17.65 for further discussion.

iv. Frontage. Each lot shall have frontage of not less than 60 feet upon a street, except that a lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 35 feet upon a street, measured on the arc.

Response: The applicant is submitting a PUD application that allows a 15% reduction in lot density. Therefore, all lots within the proposed Low Density zone will have a minimum of 50 feet of frontage, and the Medium Density zone will have a minimum of 45 feet of frontage, with the exception of cul-de-sac lots which have a minimum curved length of 35 feet. See responses under Section 17.65 for further discussion.

v. Reverse Frontage.

(A) Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with lower functional classification.

(B) When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed (reserve strip). A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.

Response: Lots along Oaklea Drive and the first block of 10th Ave and 6th Ave will take access of the street with the lower functional classification. The limited access provisions will be recorded with the final plat.

b. Exceptions.

i. Partition or Subdivision Area Developed as a Unit. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein where the partitioner or subdivider presents a plan satisfactory to the planning commission whereby the entire partition or subdivision area will be designed and developed with provision for proper maintenance of recreation and park area which will be commonly available for recreation and park purposes to the residents of the partition or subdivision area, and which the planning commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the parcel or lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this chapter.

Response: The applicant is proposing to dedicate just over ½ acre for a park area in accordance with these regulations in response to relaxing the lot size and frontage requirements. See Section 17.65 for further discussion.

ii. Land Zoned for Commercial or Industrial Use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this chapter.

Response: The property associated with this application is not zoned commercial or industrial, therefore this section is not applicable.

iii. Parcel or Lot Retained for Future Partition or Subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.

Response: The medium and high density properties are being retained for future development, however the lot sizes and shapes are designed so that no exception is necessary.

2. Key Parcels or Lots and Butt Parcels or Lots. There shall be no key parcels or lots nor butt parcels or lots, except where authorized by the planning commission where such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.

Response: No Key lots or Butt lots are proposed with this application.

3. Parcel and Lot Side Lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.

Response: To the greatest extent possible, all lot lines are either radial or perpendicular to the street right of way.

4. Suitability for Intended Use. All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this chapter.

Response: All lots are designed so that they meet the Junction City zoning and provide for the health, safety, and sanitary needs of the future residents.

5. Future Partitioning or Subdivision of Parcels or Lots. Where the partition or subdivision will result in a parcel or lot one-half acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made without violating the requirements of this chapter and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street locations shall be made a matter of record, if the planning commission deems it necessary for the purpose of future subdivision.

Response: The medium and high density zoned parcels may be subject to future development plans. Preliminary lot lines are shown for the low and medium density zoning on the PUD master plan. Because the high density zoning has many different uses that may be proposed, from apartments, cluster developments, and neighborhood commercial uses, no lot lines are being shown. However, the high density parcel is bounded by development and street right of ways. Any proposed use will need to go through a site plan approval through the Junction City Planning Department.

6. Panhandle Lots. Panhandle lot configurations shall not be utilized in new subdivisions. The planning commission may authorize exceptions from frontage requirements for panhandle lots in the R1 and R2 zones only in established neighborhoods; provided, that the following standards, applicable to all panhandle lots, are met:

a. Minimum lot sizes for panhandle lots shall be as follows, unless JCMC Title 17 requires larger minimum lot sizes:

i. All lots and parcels in an R1 zone must be at least 6,000 square feet, exclusive of the panhandle; and

ii. All lots and parcels in an R2 zone must be at least 5,000 square feet, exclusive of the panhandle;

b. Minimum panhandle width shall be as follows, whether or not the panhandle is used for access:

i. One rear lot or parcel: 15 feet;

ii. Two or more rear lots or parcels: 25 feet;

c. Minimum access paving width of the panhandle or abutting driveway used for access shall be as follows:

i. One or two rear lot(s) or parcel(s): 15 feet;

ii. Three or four rear lots or parcels: 20 feet (to preserve existing natural features, paving width may be reduced to 22 feet, except for the first 25 feet back from the sidewalk, with the approval of the planning commission if both sides of the driveway are landscaped in accordance with an approved landscape plan);

d. Driveways (which may or may not be the panhandle) and parking areas shall have a durable, dust-free surfacing of asphalt concrete, portland cement concrete or other approved material;

e. Use of a panhandle for access shall be permitted only if creation of a public street, including a future public street, is not possible because:

i. Physical conditions preclude development of a public street. Such conditions may include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers or lakes, or a resource on the National Wetland Inventory or under protection by state or federal law;

ii. Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment in the planning period;

f. A maximum of four rear lots or parcels may be assigned to a single panhandle;

g. Vehicular access from public streets to the rear lots or parcels may be obtained one of three ways:

i. Via a panhandle driveway;

ii. Via an existing alley;

iii. Via an abutting property's driveway;

h. If an abutting property's access driveway is used:

i. An access easement maintenance agreement shall be required and shall be recorded in the Lane County office of deeds and records;

ii. There shall be adequate room elsewhere on the abutting property to meet off-street parking requirements for that property;

i. When the panhandle is used for access and the abutting property owner requests a visual buffer at the time of land division review, that buffer shall consist of the following:

i. A minimum five-foot-high site-obscuring fence or wall; or

ii. Landscaping that will be five feet high and 75 percent site-obscuring within five years;

j. If access is provided via an existing unimproved alley, the property owner filing for the land division shall improve the alley to city standards. The alley must be able to provide automobile and emergency vehicle access to a public street;

k. Whether or not the panhandle is used for access, it shall remain free of structures and be available for possible future access to a public street;

l. Each rear lot or parcel shall have two parking spaces and shall have sufficient turnaround area to eliminate the necessity for a vehicle to back out onto the street. The two spaces shall not be located in the panhandle portion of driveways;

m. The building official shall not issue a certificate of occupancy until the project is completed in accordance with approval conditions, this code and JCMC Title 17;

n. Except as provided herein, the design and development standards of the zone district in which the panhandle lots or parcels are located shall apply.

Response: No panhandle lots are proposed with this application, therefore this section is not applicable.

F. Drainage. Where land in the partition or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any water course, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefor approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

Response: Should the preliminary subdivision be approved by Junction City, a drainage plan will be designed with the construction drawings for each phase of the subdivision. The overall plan will be to provide master drainage facilities designed to service the entire development, with expansion of the system being constructed with each phase. The drainage facilities will be located on the west side of the development, with runoff discharge being routed to Flat Creek.

G. Railroads.

1. Crossings. Special requirements may be imposed by the planning commission, including but not limited to provisions for separation of street and railroad grades, in connection with any railroad crossing which will immediately affect the safety of the residents of the partition or subdivision area,

for the protection of such residents, and the safety of the general public, in accordance with the purpose of this chapter.

2. Partition or Subdivision Area Adjacent to Right-of-Way. Where the partition or subdivision area is adjacent to a railroad right-of-way, and the surrounding economic and physical conditions indicate such property will be used for industrial purposes in the normal growth of the community, all streets shall be located at a sufficient distance from said right-of-way to allow for reasonable sites for industrial use adjacent to said right-of-way.

Response: No railroads are within or adjacent to the proposed development, therefore this section is not applicable.

H. Partial Development. Where the partition or subdivision area includes only a part of the tract owned by the partitioner or subdivider, the planning commission may require a sketch of a tentative layout of streets in the remainder of said tract.

Response: The applicant is submitting a PUD master plan covering all properties owned by the subdivider showing a preliminary layout of the entire property.

I. Recreational Area. The planning commission, after council approval first having been obtained, may require, as a condition of approval of the subdivision, either:

1. The dedication of land for park and recreational purpose of an amount equal to a ratio of not less than one acre of recreational area to every 100 people of the ultimate population in the subdivision; or

2. The payment to the city of a sum as established by the resolution adopting park systems development charges for each living unit permitted to be constructed within the subdivision. Payment of the charge shall be made at the time the building permit for construction of each living unit is issued by the city. The amount of the charge shall be that prescribed in the parks systems development resolution in effect at the time the individual permit is issued.

In exercising the discretion of requiring the dedication of land or the payment of money, the commission shall consider recreational needs of the ultimate population of the subdivision and the extent to which a dedication of land under the above rate would fulfill those needs.

All moneys received from the above provision shall be deposited in the recreational reserve area fund and shall be expended from that fund for the purpose of purchasing recreational land and making improvements thereof.

Response: The PUD master plan is developed with approximately 19 acres of open space, the majority of which reside on the west side. A ½ acre park is being dedicated within phase 4 of the development near the higher density areas. A system of recreational trails will be developed

within the wetland area, providing greater than one acre of open space for every 100 people within the subdivision.

J. Building Lots Filled. All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of the Oregon Structural, Specialty and Fire and Life Safety Code.

Response: All lots requiring fill will be done so in accordance with accepted engineering practices with property compaction and structural fill requirements.

K. Finish Floor Elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.

Response: A minimum finished floor elevation will be set with the final construction grading plan for the project. This minimum finished floor elevation will be listed on the final plat for each phase.

L. Utility Access. All accesses to utilities are to be brought to finish grade. [Ord. 1116 § 1, 2003; Ord. 1103 § 1, 2002; Ord. 1065 § 1, 1999; Ord. 1038 § 2, 1997; Ord. 846 § 12, 1982; Ord. 809 § 5, 1980.]

Response: All utilities will be designed and installed so that lids and risers are at or above finished grade.

16.05.060 Improvements.

A. Submitting Specifications. The planning commission shall prepare and submit to the council specifications, and amendments thereto, for construction of streets and alleys, construction of curbs and gutters, dedication of slope easements for streets and alleys, construction of drainage facilities, and construction of pedestrian ways in subdivision areas. Such specifications shall conform to proper engineering standards relevant thereto, and be so devised as to facilitate provision for the health, safety, and welfare needs of the city and area affected, in accordance with the purpose of this chapter.

Response: The applicant is submitting a PUD master plan and tentative subdivision plan for phase 1 of the development with improvements that meet the intent of the Junction City Municipal Code.

B. Land Surface Drainage. Such grading shall be done and such drainage facilities shall be constructed by the partitioner or subdivider as are adequate for the purpose of proper drainage of the partition or subdivision area and of areas affected thereby, and for the preservation of healthful and convenient surroundings and conditions for residents of the partition or subdivision area and for the benefit of the general public, and in accordance with specifications adopted by the city council.

Response: The applicant will submit final engineering drawings that show the developed site will meet the requirements of this section and the Junction City Public Works for drainage

considerations. Runoff will be collected with catch basins and underground storm piping and routed to drainage facilities located on the west side of the site. Runoff will be properly treated and detained prior to being released to Flat Creek.

C. Streets and Alleys. The partitioner or subdivider shall grade and pave all streets and alleys in the partition or subdivision area to the width specified in JCMC 16.05.050, and provide for drainage of all such streets and alleys, and construct curbs and gutters within the partition or subdivision area, in accordance with specifications of this chapter. Construction of such improvements shall be subject to inspection and approval by the council's street and alley committee.

Response: The applicant is submitting a PUD master plan and tentative subdivision plan for phase 1 of the development with improvements that meet the requirements for Local street width and layout as specified in JCMC 16.05.050.

D. Sidewalks. Sidewalks shall be located and constructed to conform with Chapter 12.20 JCMC.

Response: The applicant will submit final engineering drawings with sidewalk locations and design as specified in JCMC 12.20.

E. Pedestrian Ways. A walk strip not less than five feet in width shall be paved in the center of all dedicated pedestrian ways. Such paving shall conform to specifications adopted by the city council.

Response: All pedestrian walkways will be designed with a minimum of 5' paved width. Pedestrian walkways that are to be utilized as an emergency fire access will be designed with a minimum of 20' paved width.

F. Street Light and Fire Hydrant Installations. The partitioner or subdivider shall provide for the installation of all street lights and fire hydrants in accordance with city specifications.

Response: Street light locations will meet the requirements of the Junction City lighting specifications. All fire hydrant locations will be installed per the requirements of the Junction City Rural Fire Department. Both lighting and fire hydrant locations will be shown on the final engineering drawings for each phase of the development.

G. Performance Agreement. If all improvements required by the planning commission and this chapter are not completed according to specifications, as required herein, prior to the time the final map or plat is duly submitted for consideration and approval, the planning commission may accept in lieu of said completion of improvements a performance agreement executed by the partitioner or subdivider conditioned on faithful performance and completion of all such improvements within a period of time stated in such performance agreement and approved by the planning commission. [Ord. 809 § 6, 1980.]

Response: The applicant will either construct the required improvements, or comply with the performance agreement provisions as outlined in this section.

16.05.070 Modification of provisions.

A. Application for Modification.

1. Time for Submitting Application. Concurrently with submitting a preliminary plan, map or plat to the secretary of the planning commission for planning commission consideration and approval, a partitioner or subdivider may submit to the secretary of the planning commission an application for a modification of any provision of JCMC 16.05.040 through 16.05.060.

2. Contents of Application. An application for a modification shall be a verified petition stating the provision sought to be modified and stating facts showing that:

a. Such provision, if strictly applied, would cause unique and unnecessary hardship to such partitioner or subdivider in partitioning or subdividing the partition or subdivision area; and that

b. Modification of such provision would not be contrary to the purpose of this chapter for the reason that:

i. Where the application is for a modification of any provision of JCMC 16.05.040 or 16.05.050, unusual topographic conditions or previous layout of the partition or subdivision area or neighboring area reasonably require such modification, and such modification will not be substantially injurious to the best use and value of property in the neighboring area; or

ii. Where the application is for a modification of any provision of JCMC 16.05.060, the purpose of such provision has been fulfilled without a strict application thereof, and the interest of the public in efficient transaction of public business will best be served by such modification.

Response: The applicant is not requesting a modification of the provisions of JCMC, therefore this section is not applicable.

B. Consideration of Application by Planning Commission.

1. Time of Consideration. At the planning commission meeting at which the preliminary plan, map or plat accompanying the application for a modification is to be considered by the commission for approval, and prior to such consideration, the planning commission shall consider such application for modification.

2. Allowance of Modification by Planning Commission. If a majority of a quorum of the planning commission determines from such evidence as it deems necessary and competent, that the circumstances specified in subsection (A)(2)(b)(i) or (ii) of this section have been shown to exist, it shall allow a modification of such provision referred to in such application to such extent and on such terms and conditions as it considers proper, in accordance with the purpose of this chapter.

3. Effect of Allowance of Modification. After the procedures provided in JCMC 16.05.040 and 16.05.050 have been duly complied with, the planning commission shall proceed to consider the preliminary plan, map or plat which accompanied the application for such modification. Such consideration shall proceed under the requirements therefor heretofore provided in this chapter; but the planning commission may consider any provision of JCMC16.05.040 through 16.05.060 to be satisfied to the extent and under the conditions and terms of the modification allowed.

4. Refusal to Allow Modification. If a modification is not allowed by the planning commission, the application for modification shall be deemed to have been denied; and the planning commission shall proceed to consider the preliminary plan, map or plat which accompanied the application for such modification under the requirements therefor heretofore provided in this chapter.
[Ord. 821 § 1, 1981; Ord. 809 § 7, 1980.]

Response: The applicant is not requesting a modification of the provisions of JCMC, therefore this section is not applicable.

16.05.080 Appeals.

A. Time for Taking Appeal. Any partitioner or subdivider who has duly submitted a map or plat, a preliminary plan, or a final map or plat under JCMC16.05.040 may appeal to the council if the planning commission does not approve such map or plat within 45 days after such map or plat is so submitted, and the partitioner or subdivider believes that such failure to approve such map or plat is wrongful. Such appeal shall be taken no later than 12 days after the expiration of such 45-day period.

B. Manner of Taking Appeal. Such appeal shall be taken by filing with the council a copy of such preliminary plan, map or plat, accompanied by a verified petition for mandate, stating succinctly the grounds on which the appellant believes failure to approve such plan, map or plat is wrongful. All applications for appeal shall be accompanied by a fee equal to the average cost as prescribed by resolution or ordinance of the city council in effect at the time the application is filed.

C. Hearing of Appeal. No later than 20 days thereafter, upon at least five days' notice mailed to the partitioner or subdivider by registered or certified mail, the council shall hear the appeal in public session. At the hearing, the council shall consider any evidence presented by the appellant, together with his petition for mandate, his plan, map or plat, any reports, comments, or information with respect thereto from any public office or official theretofore considered by the planning commission, the minutes of the planning commission applicable thereto, and any other evidence desired for consideration by the council and presented at such hearing. Technical rules of evidence shall apply, but all evidence given orally shall be reduced to writing in summary form and all documentary evidence shall be considered public.

D. Ruling on Appeal.

1. Scope of Ruling. The ruling of the council on the appeal shall be limited to the interpretation of provisions of this chapter applicable to the grounds for appeal stated in the petition for mandate and a determination of whether such provisions have accordingly been lawfully applied by the planning commission.

2. Action on Ruling. If the council finds against the appellant, it shall enter an order denying the petition and closing the appeal. If the council finds in favor of the appellant, it shall issue a mandate to the planning commission stating wherein the planning commission has erred, instructing the planning commission as to the correct application of this chapter with respect to appellant, and directing the planning commission to reconsider such plan, map or plat upon appellant's resubmitting the same under subsection (A) of this section. A copy of such mandate shall be sent to the appellant by registered or certified mail.

E. Effect of Mandate. Such mandate shall be binding on the planning commission on all matters specifically determined herein, as to the plan, map or plat with respect to which the petition for mandate was filed, and no other. Such mandate shall become null and void, if appellant does not within 30 days duly submit such plan, map or plat again. [Ord. 1112 § 1, 2003; Ord. 1065 § 1, 1999; Ord. 821 § 2, 1981; Ord. 809 § 8, 1980.]

Response: The applicant is not requesting an appeal, therefore this section is not applicable.

16.05.090 Filing fees.

Before accepting for filing any application for approval of a partition or subdivision, the city recorder's office shall charge and collect a fee as established by resolution or ordinance of the city council in effect at the time the application is filed. [Ord. 1065 § 1, 1999; Ord. 809 § 9, 1980.]

Response: The applicant will submit with the application for preliminary subdivision approval all required review fees as identified by Junction City Planning.

16.05.100 Liability.

Any person, organization or corporation carrying out any authority they receive under the terms of this chapter who or which shall subsequently be liable for negligent or other wrongful conduct in exercising the authority shall hold the city harmless from any liability which may be incurred by the city for such person's, organization's or corporation's negligent or other wrongful conduct. [Ord. 809 § 10, 1980.]

Response: The applicant agrees to the provisions of this chapter.

16.05.110 Enforcement.

No land shall be conveyed, no building shall be constructed, nor shall a permit for the construction of a building be issued on any parcel not conforming to this chapter. [Ord. 809 § 11, 1980.]

Response: The applicant agrees to the provisions of this chapter.

16.05.120 Exceptions.

This chapter shall not apply to any parcel not conforming to the provisions of this chapter for which a deed is of record or for which a contract of sale is in full force and effect recorded prior to the effective date of the ordinance codified in this chapter. [Ord. 809 § 12, 1980.]

Response: The applicant agrees to the provisions of this chapter.

16.05.130 Violations and penalties.

A person, firm or corporation violating any of the provisions of this chapter shall upon conviction thereof be punished by a fine of not more than $200.00. Each such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed or continued by such person, firm, or corporation, and shall be punished accordingly. [Ord. 809 § 13, 1980.]

Response: The applicant agrees to the provisions of this chapter.

2. TITLE 17: ZONING AND LAND USE

17.10 Single Family Residential Zone (R1)

17.10.010 Uses permitted outright.
In an R1 zone, only the following uses and their accessory uses are permitted outright:

A. Single-family dwelling conforming to the Uniform Building Code.

B. Residential care home.

C. Day care home.

D. Home occupations.

E. Accessory structures.

F. Accessory dwelling units provided they conform to the following:

1. Accessory dwelling unit must comply with the Oregon Uniform Building Code – One- and Two-Dwelling Specialty Code.

2. The accessory dwelling unit may be a detached cottage, a unit attached to or above a garage, or in a portion of an existing house.

3. The primary residence or accessory dwelling shall be owner-occupied or occupied by a family member. A deed restriction is required, and a copy of the recorded deed shall be submitted to the city administrator or designee prior to issuance of a building permit.

4. A maximum of one accessory dwelling unit is allowed per lot.

5. The floor area of the accessory dwelling unit shall not exceed 800 square feet.

6. The building height of a detached accessory dwelling (i.e., separate cottage or second floor above a detached garage) shall not exceed 25 feet.

7. An accessory dwelling is subject to existing setback requirements, with the exception of the rear setback if the rear lot line borders an alley, in which case the minimum setback shall be four feet.

G. Manufactured homes provided they conform to the following:

1. The structure 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 backfilled 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 three feet in height for every 12 feet of width.

4. Exterior siding and roofing shall be similar in color, material, and appearance to the exterior siding and roofing material commonly used on residential dwellings within the community, or which is comparable to the predominant materials used on surrounding dwellings as determined by the city building inspector.

5. The exterior thermal envelope shall be certified by the manufacturer to meet the 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 immediately surrounding dwellings.

H. Uses similar to those listed above. [Ord. 1116 § 1, 2003; Ord. 975 § 3, 1993; Ord. 950 § 9, 1991.]

Response: The proposed use for all lots within the low density residential zone will be single family residential.

17.10.020 Conditional uses permitted.
In an R1 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter 17.130 JCMC:

A. Cemetery.

B. Church.

C. Day care facility.

D. Golf course and other open land recreational use, but excluding intensive commercial amusement uses such as “pitch and putt” golf course, automobile race track or amusement park.

E. Governmental structure or land use including but not limited to a public park, playground, recreational building, fire station, library, museum, or civic center.

F. Grange hall or community building.

G. Hospital, sanitarium, rest home, home for the aged, nursing home or convalescent home.

H. Residential care facility.

I. School: nursery, day care, primary, elementary, junior or senior high.

J. Utility lines or substation.

K. Mortuary. [Ord. 1116 § 1, 2003; Ord. 1105 § 1, 2002; Ord. 950 § 10, 1991.]

Response: No conditional uses are proposed in the low density residential zone, therefore this section is not applicable.

17.10.030 Lot size.
In an R1 zone, the lot size shall be as follows:

A. The minimum lot area shall be 6,000 square feet.

B. The minimum lot width shall be 60 feet and 35 feet for cul-de-sac lots. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 11, 1991.]

Response: The applicant is submitting a PUD application that allows a 15% reduction in lot density. All low density lots within the proposed master plan have a minimum of 50 feet of frontage, with the exception of cul-de-sac lots which have a minimum curved length of 35 feet. Additionally, all lots within the low density zone will have a minimum area of 5000 sq.ft.

17.10.040 Setback requirements.
Except as provided in JCMC 17.95.060, in an R1 zone, the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.10.070, shall be as follows:

A. The front yard shall be a minimum of 18 feet to the front facade of the house and a minimum of 20 feet to the garage. Covered but unenclosed porches shall be allowed to be a minimum of 10 feet from the property line, as long as they do not encroach into a public utility easement (see Appendix A, Diagram 4).

B. Each side yard shall be a minimum of six feet, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet.

C. The rear yard shall be a minimum of 15 feet. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of four feet. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950§ 12, 1991.

Response: The applicant is submitting a PUD application that allows a 15% reduction in lot density. Therefore the applicant is requesting a PUD setback of 5 feet for interior side yards, and a 10 foot setback for exterior side yards. All other setbacks will meet the provisions of this section.

17.10.050 Heights of buildings.
In an R1 zone, no building shall exceed a height of 30 feet. [Ord. 1116 § 1, 2003; Ord. 950 § 13, 1991.]

Response: All buildings within the low density residential zone will be 30 feet or less in height.

17.10.060 Lot coverage.
In an R1 zone, buildings shall not occupy more than 40 percent of the lot area except where an accessory dwelling unit is constructed, and then buildings shall not occupy more than 50 percent of the lot area. [Ord. 1116 § 1, 2003; Ord. 950 § 14, 1991.]

Response: All buildings within the low density residential zone will meet the 40-50% coverage requirement as outlined in this chapter.

17.10.070 Setback exceptions.
In an R1 zone, the following architectural features are allowed to encroach into the setback yards: eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by up to three feet; provided, that the State Fire Code is met. Walls and fences may be placed on property lines, subject to the standards in JCMC 17.95.020. Walls and fences within front yards shall additionally comply with the vision clearance standards in JCMC 17.95.090. [Ord. 1116 § 1, 2003; Ord. 950 § 14A, 1991.]

Response: All buildings within the low density residential zone will meet the setback exceptions and fencing requirements as outlined in this chapter.

17.15 Duplex Residential Zone (R2)

17.15.010 Uses permitted outright.
In an R2 zone, only the following uses and their accessory uses are permitted outright:

A. Single and two-family dwellings (duplexes).

B. A use permitted in the R1 zone.

C. A use similar to those listed above. [Ord. 1116 § 1, 2003; Ord. 950 § 15, 1991.]

Response: The proposed use for all lots within the medium density residential zone will be single or two-family dwellings (duplexes).

17.15.020 Conditional uses permitted.
In an R2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter 17.130 JCMC:

A. A use permitted as a conditional use in an R1 zone.

B. Multiple-family dwelling, which shall comply with the applicable standards listed in the R3 zone.

C. Townhome, which shall comply with applicable standards listed in the R3 zone.

D. Planned unit development.

E. Neighborhood commercial use less than 5,000 gross square feet which serves the immediate neighborhood, and complies with the applicable neighborhood commercial standards listed in the R3 zone.

F. Beauty salon and barber shop.

G. Bed and breakfast facilities; provided, that:

1. No other such facilities exist within 400 feet;

2. The facility is owner-occupied or immediately adjacent to the owner's residence; and

3. Length of stay for guests shall not exceed three days. [Ord. 1116 § 1, 2003; Ord. 950 § 16, 1991.]

Response: No conditional uses are proposed (at this time) within the medium density residential zone, therefore this section is not applicable.

17.15.030 Lot size.
In an R2 zone, the minimum lot size shall be as follows:

A. The minimum lot area for single-family dwellings shall be 5,000 square feet.

B. The minimum lot area for two-family dwellings (duplexes) shall be 7,000 square feet.

C. The minimum lot area for multiple-family dwellings shall be 7,500 square feet.

D. The minimum lot depth shall be 75 feet.

E. The minimum lot width shall be 50 feet and 35 feet for cul-de-sac lots. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 17, 1991.]

Response: The applicant is submitting a PUD application that allows a 15% reduction in lot density. All medium density lots within the proposed master plan have a minimum of 45 feet of frontage, with the exception of cul-de-sac lots which have a minimum curved length of 35 feet. Additionally, all lots within the medium density zone will have a minimum area of 4500 sq.ft.

17.15.040 Setback requirements.
Except as provided in JCMC 17.95.060, in an R2 zone, the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.10.070, shall be as follows:

A. The front yard shall be a minimum of 18 feet to the front facade of the house and a minimum of 20 feet to the garage. Covered but unenclosed porches shall be allowed to be a minimum of 10 feet from the front property line, as long as they do not encroach into a public utility easement and comply with the vision clearance standards in JCMC 17.95.090 (see Appendix A, Diagram 4).

B. Each side yard shall be a minimum of six feet, measured from the foundation, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet measured from the foundation.

C. The rear yard shall be a minimum of 15 feet, measured from the foundation. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of four feet.

D. In the case of a duplex residential use on a corner lot where primary vehicular access is provided from two streets, then both yards abutting the street shall be considered the front yard with appropriate front yard setbacks (20 feet from property line to foundation of building). Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2).
[Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord.950 § 18, 1991.]

Response: The applicant is submitting a PUD application that allows a 15% reduction in lot density. Therefore the applicant is requesting a PUD setback of 5 feet for interior side yards, and a 10 foot setback for exterior side yards. All other setbacks will meet the provisions of this section.

17.15.050 Height of buildings.
In an R2 zone, no building shall exceed a height of 35 feet. [Ord. 1116 § 1, 2003; Ord. 950 § 19, 1991.]

Response: All buildings within the medium density residential zone will be 35 feet or less in height.

17.15.060 Lot coverage.
In an R2 zone, buildings shall not occupy more than 50 percent of the lot area. [Ord. 1116 § 1, 2003; Ord. 950 § 20, 1991.]

Response: All buildings within the medium density residential zone will meet the 50% coverage requirement as outlined in this chapter.

17.15.070 Setback exceptions.
In an R2 zone, the following architectural features are allowed to encroach into the setback yards: eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by up to three feet; provided, that the State Fire Code is met. Walls and fences may be placed on property lines, subject to the standards in JCMC 17.95.020. Walls and fences within front yards shall additionally comply with the vision clearance standards in JCMC 17.95.090. [Ord. 1116 § 1, 2003; Ord. 950 § 20A, 1991.]

Response: All buildings within the medium density residential zone will meet the setback exceptions and fencing requirements as outlined in this chapter.

17.20 Multiple Family Residential Zone (R3)

17.20.010 Uses permitted outright.
In an R3 zone, only the following uses, their accessory uses, and uses determined to be similar are permitted outright. Other uses are expressly prohibited.

A. Multiple-family dwellings (three or more attached units on one lot).

B. Townhomes (attached single-family housing or row houses on their own lots with three or more units).

C. Neighborhood commercial uses as defined in JCMC 17.20.130.

D. Duplex (two-family attached dwelling on one lot), which shall comply with the standards in the R2 zone (Chapter 17.15 JCMC).

E. Accessory structures.

F. Residential care homes and residential care facilities (ORS 197.660 through 197.670).

G. Uses similar to those listed above. [Ord. 1116 § 1, 2003; Ord. 950 § 21, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.020 Conditional uses permitted.
In an R3 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter 17.130 JCMC:

A. Manufactured dwelling park meeting requirements of Chapter 17.100 JCMC. [Ord. 1116 § 1, 2003; Ord. 975 § 2, 1993; Ord. 950 § 22, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

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 17.20.140regarding 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.

B. Procedure. Development review is a nondiscretionary, administrative review conducted by the city administrator or designee. Development review shall follow JCMC 17.150.070(A)(1), Type I Procedure – Administrative Decision.

C. General Submission Requirements. The applicant shall submit an application on forms provided by the city administrator that shall:

1. Contain all the general information required;

2. Address the criteria in sufficient detail for review and action; and

3. Be filed with the required fee as established by the city council.

D. Development Review Information. An application for development review shall include a proposed site plan on a page size of 11 inches by 17 inches or larger, containing the following information if applicable, and other similar information as deemed necessary by the city administrator or designee:

1. North arrow, scale, names, addresses, and telephone numbers of all persons listed as owners on the most recently recorded deed.

2. Name, address, and phone numbers of project designer, engineer, surveyor, and/or planner, if applicable.

3. The proposed development site, including boundaries, dimensions, and gross area.

4. Features which are proposed to remain on the site.

5. The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan, including dimensions necessary to calculate commercial floor area if applicable.

6. Landscape plan if applicable.

7. Location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements.

8. Location and dimensions of entrances and exits to the site for vehicular and pedestrian access, including pedestrian circulation routes and location and dimensions of parking areas if applicable.

9. Location and dimensions of common and private open spaces if applicable.

10. Location and dimensions of trash receptacles if applicable.

11. Detail drawings of site-obscuring fence if applicable.

12. Architectural drawings.

a. Building elevations which illustrate building orientation (JCMC 17.20.100) and building form design features (JCMC 17.20.110);

b. Building plans which illustrate townhome supplemental standards (JCMC 17.20.120) if applicable;

c. The name, address, and phone number of the architect. [Ord. 1116 § 1, 2003; Ord. 950 § 22A, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

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.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.050 Setback requirements.

This standard applies to multifamily dwellings, townhomes, neighborhood commercial developments, and residential care homes and residential care facilities. Except as provided in JCMC 17.95.060, in an R3 zone, the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.20.060, shall be as follows:

A. A minimum front setback of 15 feet is required for multifamily dwellings and townhomes except that a covered (but not enclosed) porch may be within 10 feet of the front line. A minimum front setback of 10 feet is required for a neighborhood commercial building.

B. Each side yard setback shall be a minimum of six feet, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet measured from the foundation. Townhomes shall have no setback requirement where they share common walls.

C. The back yard shall be a minimum of 15 feet. An exception shall be permitted where a townhome, garage, or other accessory structure is located adjacent to an alley, in which case the backyard (alley facing) setback shall be a minimum of four feet.

D. In the case of a duplex residential use on a corner lot where primary vehicular access is provided from two streets, then both yards abutting the street shall be considered the front yard with appropriate front yard setbacks. Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2).

E. All buildings shall be sited to ensure they do not encroach into a public utility easement or the vision clearance areas (JCMC 17.95.090). [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 24, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.060 Setback exceptions.

In an R3 zone, the following architectural features are allowed to encroach into the setback yards: eaves, chimneys, bay windows, overhangs and similar architectural features may encroach into setbacks by up to three feet; provided, that the State Fire Code is met. Walls and fences may be placed on property lines, subject to the standards in JCMC 17.95.020. Walls and fences within front yards shall additionally comply with the vision clearance standards in JCMC 17.95.090. [Ord. 1116 § 1, 2003; Ord. 950 § 24A, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.070 Height of buildings.

In an R3 zone, no buildings shall exceed a height of 35 feet. Building height may be restricted to less than the maximum when necessary to comply with the building height transition standard in JCMC 17.20.090.

A. Applicability. This standard applies to townhomes, multifamily buildings, and neighborhood commercial buildings.

B. Method of Measurement. The vertical distance of a structure measured from the average elevation of the finished grade within 20 feet of the structure to the highest point of the structure. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flagpoles, and similar features which are not for human occupancy. [Ord. 1116 § 1, 2003; Ord. 950 § 25, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.080 Lot coverage.

In an R3 zone, the building(s) shall not occupy more than 60 percent of the lot area. [Ord. 1116 § 1, 2003; Ord. 950 § 26, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.090 Building height transition.

In an R3 zone, new buildings, or portions of new buildings exceeding one story in height that abut an existing one-story single-family detached residential or duplex building shall not exceed a building height greater than one foot for each foot of horizontal distance from the property line. [Ord. 1116 § 1, 2003; Ord. 950 § 26A, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.100 Building orientation.

In an R3 zone, all buildings that abut private, local, or collector streets shall have their primary entrance(s) oriented to the street. Multifamily and neighborhood commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances. Alternatively a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street. This section does not apply to buildings with the sole purpose of housing mechanical equipment.

A. All buildings that abut private, local, or collector streets shall be set back a maximum of 25 feet from the front lot line.

B. Off-street parking lots and driveways shall not be placed between buildings and streets.
[Ord. 1116 § 1, 2003; Ord. 950 § 26B, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.110 Building form.
In an R3 zone, new multifamily dwellings, townhomes, residential care homes and residential care facilities, and neighborhood commercial uses shall comply with the following building form standards (see Appendix A, Diagrams 6 and 7):

A. Structures shall not have a continuous horizontal distance exceeding 150 feet (measured from end wall to end wall);

B. Roofs shall have gable, hip, or gambrel forms, minimum pitch four feet in height for every 12 feet in width, with at least a six-inch overhang (eave), or they may be flat with a decorative cornice;

C. Design Features. All street facing elevations (facades) shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building. Along the vertical face of a structure, such features shall occur at a minimum of every 35 feet and on each floor shall contain at least two of the following features:

1. Recess (e.g., deck, patio, courtyard, balcony, garage, entrance, or similar feature) that has a minimum depth of four feet;

2. Extension (e.g., floor area, deck, porch, bay window, patio, entrance, or similar feature) that projects a minimum of two feet and runs horizontally for a minimum length of four feet; and/or

3. Offsets of facade or roof elevation of two feet or greater;

D. Eyes on the Street. All building elevations shall provide doors, porches, balconies and/or windows. A minimum of 60 percent of the front (i.e., street facing) elevations, and a minimum of 30 percent of side and rear building elevations shall meet this standard. Percent of elevation is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. This standard applies to each full and partial building story; and

E. Garages and carports attached to living units and accessed from a street (adjacent to the front lot line) shall be recessed behind the front facade of the building or covered front porch by at least two feet.
[Ord. 1116 § 1, 2003; Ord. 950 § 26C, 1991.]

Response: No specific uses are proposed at this time in the Multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.120 Townhome (single-family attached/rowhouses) supplemental standards.
All townhomes shall comply with the following standards (see also Appendix A, Diagram 8):

A. The maximum number and width of consecutively attached units shall not exceed five or 140 feet (from end wall to end wall), whichever is less.

B. Townhomes shall receive vehicle access from a rear alley whenever possible. Alley(s) shall be created at the time of subdivision approval. Alleys are not required when existing development patterns make construction of alleys impractical.

C. Townhomes receiving access directly from a public or private street shall comply with all of the following standards in order to minimize interruption of adjacent sidewalks by driveway entrances and improve appearance of the streets:

1. The maximum allowable driveway width facing the street is 12 feet per dwelling unit.

2. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet.

3. The maximum combined garage width per unit is 50 percent of the total unit width. For example, a 26-foot-wide unit may have one 13-foot-wide recessed garage facing the street.

D. Common areas (e.g., landscaping in private tracts, shared driveways, private alleys, lawns, play areas, and similar uses) shall be maintained by a homeowners' association or other legal entity. A homeowners' association may also be responsible for exterior building maintenance and roof replacement. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval. [Ord. 1116 § 1, 2003; Ord. 950 § 26D, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.130 Neighborhood commercial supplemental standards.
All neighborhood commercial uses shall comply with the following standards:

A. Permitted Uses. Only the following neighborhood commercial uses are permitted in an R3 zone:

1. Retail goods and services;

2. Child care center (care for more than 12 children);

3. Food services, excluding automobile-oriented uses;

4. Medical and dental offices, clinics, and laboratories;

5. Professional and administrative offices;

6. Repair services, conducted entirely within the building; auto repair and similar services not permitted;

7. Mixed use building (residential with other permitted use);

8. Laundromats and dry cleaners;

9. Art, music, or photography studio;

10. Personal services (barber shops, salons, similar uses); and

11. Other similar uses.

B. Floor Area Standards. The maximum commercial floor area shall not exceed 5,000 square feet total for all uses on one neighborhood commercial site. Floor area is measured by totaling the interior floor area of all building stories, except crawl spaces (i.e., with less than seven and one-half feet of vertical clearance).

C. Hours of Operation. Neighborhood commercial land uses shall be limited to the following hours of operation: 7:00 a.m. to 10:00 p.m.

D. Storage. Except for plants and garden supplies overnight outdoor storage is not permitted. Plants and garden storage must comply with the vision clearance standards in JCMC 17.95.090.

E. Parking. Parking lots shall comply with the following standards:

1. Parking lots shall be placed to the side or rear of buildings.

2. Off-street vehicle parking must comply with the landscaping, size, and pedestrian circulation standards specified in Chapter 17.90 JCMC. [Ord.1116 § 1, 2003; Ord. 950 § 26E, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.20.140 Multi-family housing supplemental standards.

In an R3 zone, these supplemental standards apply to new multifamily housing developments. Multifamily is defined as three or more attached dwellings on an individual lot (e.g., multiplexes, apartments, condominiums, etc.). New multifamily developments shall comply with all of the following standards:

A. Common Open Space.

1. In all developments with more than 20 units, a minimum area of 15 percent of the total site area (inclusive of required setback areas) shall be designated, and permanently reserved, as usable common open space. The site area is defined as the lot or parcel on which the development is planned, after subtracting the required dedication of street right-of-way and other land for public purposes (e.g., public park). Sensitive lands and historic buildings or landmarks open to the public can be counted toward meeting the common open space requirements.

2. The development shall designate, within the common open space, a minimum of 250 square feet of active recreation area (e.g., children's play areas, play fields, swim pool, sports courts, etc.) for every 20 units or increments thereof. For example, a 50-unit development shall provide a minimum of 500 square feet for active recreation. Indoor or covered recreation space may be counted toward this requirement, but should not exceed 30 percent of the required common space area.

B. Private Open Space. Usable private outdoor space such as patios, balconies, porches, roof gardens, or small yards shall be provided in all newly constructed multifamily developments. Private open space shall comply with the following standards:

1. Dwelling units located at or below finished grade, or within five feet of finished grade, shall have a minimum of 96 square feet of private open space, with no dimension less than six feet;

2. All upper floor dwelling units shall have balconies or porches measuring at least 36 square feet with no dimension less than four feet. "Upper-floor dwelling unit" means housing units which are more than five feet above finished grade;

3. All private open space shall have direct access from the dwelling unit by way of a door;

4. Any excess private open space (above what is required) may be counted toward fulfilling the common open space requirement;

5. Building masses and screening such as low hedges, fences, walls, arbors or trellises shall be used to help delineate private outdoor spaces. The screening element must be a minimum of three feet in height.

C. Stairways. Stairways shall be incorporated inside the building where possible to minimize visual impact. External stairways, when necessary, shall be recessed into the building, sided using the same siding materials as the building itself, or otherwise incorporated into the building architecture. Stairways that are simply hung from the building's exterior are not permitted.

D. Vehicular Circulation. Multifamily developments shall provide vehicular circulation in accordance with the following standards (see Appendix A, Diagram 9):

1. To provide for traffic safety and to minimize the impacts on the public circulation system, where possible, driveways or private streets shall connect to local or collector streets rather than directly onto arterial streets.

2. Multifamily developments four acres or larger shall be developed as a series of complete blocks bounded by a connecting network of public streets with sidewalks and street trees to break the development into numerous smaller blocks. The average block size within a multifamily development shall be a maximum of two acres in size. City standards for public local residential streets in regard to pavement width, sidewalks, and street trees shall apply to all internal streets.

E. Parking. Multifamily developments shall provide parking designed in accordance with the following standards (see Appendix A, Diagram 9):

1. Off-street vehicle parking spaces and bicycle parking shall be provided as specified in JCMC 17.90.010. On-street parking along the streets contained within the development can be applied to the off-street parking requirements;

2. Parking lots shall be placed to the side or rear of buildings in accordance with the building orientation standards (JCMC 17.20.100);

3. Parking on the streets contained within the site shall not include head-in or angle parking. Parking shall be accommodated in parking lots or along the internal street system in the form of parallel parking;

4. Parking lot landscaping shall be provided as specified in JCMC 17.90.030; and

5. Parking lots shall be connected to all building entrances by means of internal pedestrian walkways that meet the standards in subsection (H) of this section.

F. Trash Receptacles. Trash receptacles shall be screened on all sides with an evergreen hedge or solid fence or wall of not less than six feet in height. No trash receptacle shall be located in any front yard setback, or within 25 feet of property lines abutting other residential zones.

G. Utilities. All utilities on the development site shall be placed underground. Ground-mounted equipment such as transformers, utility pads, cable television and telephone boxes, cell tower equipment boxes, and similar utility services shall be placed underground whenever practicable. Where undergrounding of ground-mounted equipment is not feasible, equipment shall be screened from view with an evergreen hedge or solid fence or wall a minimum of four feet in height and must be sited to comply with the vision clearance standards in JCMC 17.95.090.

H. Pedestrian Circulation. To ensure safe, direct, and convenient pedestrian circulation, all multifamily developments shall contain a system of pathways designed based on the standards below;

1. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent public parks and commercial uses, and the public sidewalk system;

2. Pathways within the development shall provide safe, reasonably direct connections between dwelling units and parking areas, recreational facilities, storage areas, and common areas;

3. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised six inches and curbed or separated from the driveway/street by a minimum five-foot strip with bollards, a landscape berm, or other physical barrier;

4. Pedestrian pathways shall be separated a minimum of six feet from all building facades with residential living areas on the ground floor, except at building entrances;

5. Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping; and

6. Pathway surface shall be concrete, asphalt, brick/masonry pavers, or other durable hard surface, at least five feet wide, and shall conform to federal Americans with Disabilities Act (ADA) requirements.

I. Landscaping. Landscaping shall be installed within the development to provide erosion control, visual interest, buffering, privacy, open space and pathway definition, and shading based on the following standards:

1. A minimum of 15 percent of the site shall be landscaped with a mix of vegetative ground cover, shrubbery, and trees. At the time of planting, trees shall be planted a minimum of two inches (DBH) in caliper and shrubbery a minimum of 24 inches in height. Bark mulch, rocks and similar nonplant material may be used to complement the cover requirement, but shall not be considered a sole substitute for the vegetative ground cover requirement; and

2. The use of native and/or drought-tolerant landscaping is encouraged. All landscaping shall be irrigated with a permanent irrigation system unless a licensed landscape architect submits written verification that the proposed plant materials do not require irrigation. The property owner shall maintain all landscaping. [Ord. 1116 § 1, 2003; Ord. 950 § 26F, 1991.]

Response: No specific uses are proposed at this time in the multiple family residential zone, a separate design review will be required for any development on the 1 acre lot within this development. Compliance with this chapter will be determined during the design review.

17.65 Planned Unit Development

17.65.010 Purpose.
The purpose of a planned unit development is to permit greater flexibility in land use regulations, thereby allowing the developer to use a more creative approach in the development of land. Density requirements, setbacks and other land use regulations may be adjusted to allow for a more desirable living environment. Preservation of natural features, harmonious variety of uses, the economy of shared services and facilities, and a development more compatible with the surrounding area are a few of the common benefits attained from a planned unit development.

The PUD approach is expected to result in development that is superior to what could be obtained through ordinary lot-by-lot development. It is not intended to circumvent conventional land use regulations.

In return for greater flexibility in site development, the PUD introduces some special requirements and standards for design approval. These conditions will be employed to maximize quality of site design. They will not be used to cause undue delays nor unwarranted increase in costs, when compared to more conventional development. The PUD process will not be used as a device to force a decrease in residential density below that otherwise allowed by the comprehensive plan and underlying zoning. [Ord. 1037 § 1, 1997; Ord. 950 § 68, 1991.]

Response: The applicant will submit a PUD following the conditions from the City that the property be developed with one acre of High Density Residential (R3), nine acres of Medium Density Residential (R2), and the remainder of the property being Low Density Residential (R1). The applicant is requesting a reduction in the minimum lot width (50' for R1 and 45' for R2), minimum lot size (5000 sq.ft. in R1 and 4500 sq.ft. in R2), and side yard setback (5ft interior side and 10 ft exterior side).

17.65.020 Ownership.
The tract or tracts of land included in a proposed planned unit development may be in one ownership or control, or the subject of a joint application by owners of all the property included. The holder of a valid written real estate option contract shall be deemed the owner of such land for the purpose of this section. The planning commission may require satisfactory evidence of such contract of purchase. [Ord. 1037 § 1, 1997; Ord. 950 § 69, 1991.]

Response: The property is owned by Oaklea Enterprises and is being developed in the first three phases by Hayden Homes under the provisions of a real estate option agreement.

17.65.030 General requirements.
The following general requirements will apply to planned unit developments:

A. A planned unit development shall be allowed in all zones as a conditional use according to the procedures set forth for such uses. Minimum site area shall be two acres to qualify for a PUD.

Response: The property is 85 acres in size, therefore this provision is met.

B. As a condition of approval of a planned unit development, the planning commission may require the following:

1. A performance bond or other securities acceptable to the city to ensure that a planned unit development is completed as submitted.

2. An economic impact statement if the planned unit development is of a sufficient size and economic complexity.

3. An environmental impact study if the planned unit development is large enough to have critical impact upon the land and environment.

4. Areas for parks or playgrounds, sized according to prevailing statewide and local government standards, shall be permanently reserved within the PUD or provided for offsite.

5. Streets be designed and constructed according to city standards and dedicated to the city.

6. Easements for the orderly extension, maintenance, repair or replacement of public utilities.

7. Adequate guarantee must be provided to ensure permanent retention of common open space and recreation areas which may be required as conditions of PUD approval. This guarantee may be satisfied by creation of a nonprofit homeowners' association to ensure maintenance of the area, or by development of the space to city specifications and acceptance of it by the city, in which case it would be available for general public use.

Response: The applicant will provide an economic impact statement, study, and performance bond if deemed necessary by the planning commission. The PUD will propose over 19 acres of open space with pedestrian trails and a ½ acre park in phase 4 for the use of the surrounding residents. Streets will be proposed to be constructed to City standard and dedicated to the City. Performance bonds or guarantees will be discussed with planning commission during the process of approval.

C. Whenever a planned unit development is subject to Chapter 16.05 JCMC, the procedures and regulations of Chapter 16.05 JCMC shall apply. [Ord.1170 § 4, 2007; Ord. 1037 § 1, 1997; Ord. 950 § 70, 1991.]

Response: The proposed PUD will be subject to JCMC 16.05, see above for responses that show compliance with these provisions.

17.65.040 Procedures.

A. Application. A letter of intent to develop a planned unit development along with a conditional use permit application shall be filed with the city administrator. The applicant shall also pay an application fee as established by the city council.

Response: This burden of proof statement shall serve as the letter of intent to develop the property as a Planned Unit Development. The applicant is submitting a general land use application to include approval of the PUD and the first phase of the proposed subdivision.

B. Stage Review. There shall be a three-stage review process when approving a planned unit development application:

1. Pre-preliminary conference (Stage 1).

2. Preliminary approval (Stage 2).

3. Final approval (Stage 3).

C. Fees. The following fees as provided or otherwise approved by council resolution shall accompany each stage of review:

1. Pre-preliminary conference (no fee).

2. Preliminary approval ($100.00).

3. Final approval ($75.00). [Ord. 1037 § 1, 1997; Ord. 950 § 71, 1991.]

Response: The application will follow the three stage review and the fees will be paid as required.

17.65.050 Pre-preliminary conference (stage 1).

A. Before preparing a preliminary plan map and preliminary plan program, the applicant of a proposed planned unit development shall meet with the city staff at a conference scheduled at a time most convenient for both parties. At the conference, the developer shall provide basic information, such as a schematic drawing, showing the general relationship contemplated among all public and private uses and existing physical features, and written statements regarding the source of water supply, method of sewage disposal, dwelling types, lot layout, public and private access, nonresidential uses, and provisions for maintenance of landscaped areas, parks and open spaces. In return, the city staff shall provide the developer applicable standards and regulations.

B. If the staff and applicant reach a satisfactory agreement, the applicant may proceed to stage 2, preliminary approval. [Ord. 1037 § 1, 1997; Ord. 950§ 72, 1991.]

Response: A pre-application meeting was held on October 29th, 2014, in which the preliminary master plan was presented to City and other jurisdictional staff. No major issues were identified in reviewing the preliminary plan, therefore the applicant has proceeded with stage 2.

17.65.060 Preliminary approval (stage 2).

A. The applicant shall submit to the planning commission four copies of the preliminary plan map for the proposed planned unit development. The plan map shall show the following information:

1. Legally described property lines.

2. Section lines.

3. Existing streets, buildings, watercourses, tree masses, sanitary and storm sewers, water mains, culverts and other existing underground facilities.

4. Location and size of the nearest water main and sewer outlet.

5. Title of the proposed planned unit development and the name of the developer.

6. Ownership of adjoining parcels within 300 feet of the proposed planned unit development.

7. Contours referred to a city engineer's bench mark with intervals sufficient to determine the character and topography of the land to be developed.

8. North point, scale and date.

9. Location and size of all proposed streets, buildings, sanitary sewer or other sewage disposal facilities, water mains, stormwater facilities, sidewalks, parks, open spaces and signs.

Response: A preliminary development plan and existing conditions plan has been submitted that addresses the above requirements.

B. A preliminary plan program or outline of the following shall accompany the preliminary plan map:

1. Proposed ownership and maintenance of streets.

Response: All onsite streets will be developed as Local Streets following the requirements of the Junction City Code and will be dedicated to the City with the filing of the final plat.

2. Drafts of appropriate restrictive covenants and drafts of documents providing for the maintenance of any common space, or required dedications or reservations of public open spaces and any dedications of development rights.

Response: A separate document is being submitted that provide an outline of the preliminary CC&R's as well as the H.O.A. agreement for the first three phases of the development.

3. A list of the types of buildings proposed.

Response: All buildings within the low density residential zone will be single family residential structures. The types and sizes of the medium and high density developments will be identified in the future when the design review or subdivision approvals are applied for. Because the development is being done is separate phases, approval of each phase will require an additional subdivision approval and hearing through Junction City. Specifics of the types of buildings proposed will be included at that time.

4. The amount of land area to be devoted to the various types of buildings and a calculation of the average residential density per net acre.

Response: As required by the City, the development of the master plan identifies 1 acre of High Density residential (R3), 9 acres of Medium Density residential (R2), and the remainder being approximately 40 acres of Low Density residential. The application is proposing 349 lots, of which the one acre of R3 can accommodate multiple families per lot. Therefore the approximate residential density calculation per acre is 360 residential units/85 acres = 4.23 residential units per acre.

5. The nature of all proposed signs.

Response: A subdivision entry sign is proposed at both entrances to the subdivision. The design and details of the sign will be identified with a sign permit application once construction of the subdivision has commenced.

6. All landscaping plans.

Response: Landscaping will consist of street trees identified on the preliminary plan, and specific landscaping of the open space areas to be designed with the final engineering drawings.

7. Plans or written statements regarding grades of proposed streets, width and type of pavement, type of sanitary sewer or other sewage disposal facilities and any grading plans.

Response: The grades of all proposed streets will be relatively flat, with no grade exceeding 5%. The onsite streets will be designed as Local Streets, with pavement widths of 36 feet and paved with asphalt concrete. All lots will be developed with City sanitary sewer service, with underground sewer mains connecting to the pump station that was recently installed with the Reserve at Junction City development. Grading will be

relatively light with no cut or fill exceeding 3 feet. The existing topography of the site is relatively flat.

8. A stage development schedule setting forth a schedule thereof if the final development plan is to be developed in stages.

Response: The subdivision is proposed to be developed in eight phases. The timeline for construction of each phase is listed on the preliminary master plan.

C. Upon receiving the preliminary plan map and program, the planning commission shall review the proposed planned unit development and shall seek to determine that all of the following conditions are met:

1. The planned unit development will be consistent with the comprehensive plan of the city. Specifically, this includes:

a. Information indicating how the housing provided in the PUD relates to Junction City area housing needs. All PUD proposals may, consistent with the density allowed by underlying zoning, propose housing concepts including townhouses, condominium-owned multifamily units, mixtures of housing types and lot sizes, multiplex construction, mobile homes or other kinds of dwellings manufactured off site.

Response: The PUD is being submitted following exactly the requirements from Junction City that the property provide 1 acre of High Density residential, 9 acres of Medium Density residential, and the remainder of the developable property being approximately 40 acres of Low Density residential. The PUD will propose a mix of the allowable housing types following the requirements of the underlying zoning.

b. Description of the municipal service and utilities needed at initial and later phases of PUD occupancy, and whether it is consistent with the city's capital facilities plan.

Response: The property is required to connect to the Reserve sewer system and lift station for sanitary sewer services. Public water mains will be extended onsite connecting to the existing mains in Oaklea Drive. Both services will be sized and installed a sufficient depth to serve the entire PUD property.

c. Indication that the streets required off site are provided already, or planned and funded by appropriate city or county agencies. Sufficient access will be required to meet vehicular movement and storage generated by the proposed development. Continuity with future streets in adjoining developments and dedication of sufficient arterial street right-of-way for the proposed development and other developments generally anticipated in the capital facilities plan.

Response: See Traffic Impact analysis for discussion of capacity of the surrounding street system and required improvements broken down by phase.

d. Assurance that if density of the development in the PUD's initial stages does not warrant public sewer or water connections, that the layout allows for later increases of density to a level that makes such connections financially feasible.

Response: The development will require public sewer and water connections, which will be done with the first phase of development.

e. Deed restrictions to support future assessments to provide services necessary for urban densities of development.

Response: If necessary, the deed restrictions can be accommodated during development of each phase.

2. The planned unit development can be developed in harmony with the surrounding area, and between uses within the PUD itself. Specifically:

a. Height, bulk and density of buildings not radically different from those anticipated on adjacent or facing properties. Exceptions could be made if the PUD were in a transitional area between a higher-intensity district and a lower-intensity residential district.

Response: The proposed zoning of the PUD is consistent with the surrounding residential zoning of the area. The PUD is located on the outskirts of Junction City and is therefore adequately designated as residential uses.

b. Preservation of natural and cultural assets within the area.

Response: Approximately 19 acres of open space will be dedicated as the phases of development progress that will preserve natural wetland areas of the site.

c. Density bonuses of 15 percent may be granted by the planning commission as an incentive to go through the PUD process, and providing at least three of the following:

i. Landscaping.

ii. Public open space.

iii. Provision of low cost housing.

iv. Enhancement of public enjoyment of natural or cultural assets on site.

v. Solar energy protection.

Response: The applicant is requesting a density bonus discussed previously. The three provisions that will be followed are i-landscaping, ii – public open space, and iv-enhancement of public enjoyment of natural assets onsite. The applicant dedicating two triangular areas at the entry to the subdivision for an entry sign and landscaping to beautify the entry to the property. The applicant is also proposing to dedicate ½ acre to the City for use as a park. The park will be public open space and will be landscaped. The applicant is also proposing an enhanced trail system within the large open space/wetland tract on the west side of the site. The trail system will provide for increased public enjoyment of the wetland area.

3. The time table for the completion of the planned unit development is within reason.

Response: See PUD master plan for time table of completion. It should be noted that completion of a PUD in this size and scale will be subject to environmental and economic provisions that are outside the control of the applicant. The ongoing timetable will be discussed with the city as the development proceeds.

D. If, in the opinion of the planning commission, the foregoing provisions are satisfied, the planned unit development proposal shall be processed for a public hearing according to Chapter 17.130 JCMC.

Response: The PUD and accompanying subdivision approval will be processed with a planning commission public hearing, time and date to be determined by the City.

E. After the hearing, the planning commission shall determine whether the proposal still conforms to the permit criteria according to this section.

F. The planning commission may approve or place conditions upon approving the preliminary plan map and preliminary plan program as suggested in JCMC 17.65.030(B), or any other conditions it deems necessary.

G. The planning commission may deny the planned unit development application or return the planned unit development to the applicant for revisions.

H. If the preliminary plan map and preliminary plan program are approved, the applicant may proceed to final approval (Stage 3). [Ord. 1037 § 1, 1997; Ord. 950 § 73, 1991.]

Response: The applicant will comply with reasonable conditions of approval that are identified by planning staff and planning commission during the approval process.

17.65.070 Final approval (stage 3).

A. Within one year after the approval of the preliminary plan map and preliminary plan program, the applicant shall submit to the city a final plan map and final plan program, for the entire development or when submission in stages has been authorized pursuant to JCMC 17.65.060(B)(8) for the first stage of

development. If the preliminary plan map and preliminary plan program for a planned unit development are consolidated for processing with a partition or subdivision tentative plan at the request of the applicant, then the time frame for submission to the city of a final plan map and final plan program shall be the same as for the final land division approval.

B. The final plan map and final plan program shall include all information included in the preliminary plan map and program.

C. The final plan program shall include all fully drafted, properly executed legal documents for dedication or reservation of public facilities, and for the creation of a nonprofit homeowners' association.

D. The planning commission shall review the final plan map and program and shall determine whether they conform to all applicable criteria in JCMC17.65.060(C) and all major respects with the approved preliminary plan map and program.

E. The planning commission may approve, deny or return the application for the planned unit development proposal to the applicant for revision. The applicant shall resubmit the revised plan within 30 days.

F. The decision of the planning commission shall become final 10 days after the date of the decision, unless appealed to the city council. [Ord. 1170 § 5, 2007; Ord. 1037 § 1, 1997; Ord. 950 § 74, 1991.]

Response: If approved by Junction City Planning Commission, the applicant will provide a final plan map that meets the requirements of this section.

17.65.080 Changes and modifications.

A. Major changes in the final plan map and final plan program from the preliminary plan map and program shall be considered the same as a new application and shall follow the procedures specified in JCMC 17.65.040.

B. Minor changes in the final plan map and final plan program may be approved by the city staff. Minor changes may include minor shifting of the location of proposed streets, public or private ways, utility easements, parks or other open spaces. Such minor changes shall not increase the density, boundary lines, use, location or amount of land devoted to specific land uses. [Ord. 1037 § 1, 1997; Ord. 950 § 75, 1991.]

Response: The applicant will follow the provisions of this section if any modification so the PUD are proposed.

17.65.090 Modification and adherence to the approved planned unit development.

A. All building permits in a planned unit development shall be issued only on the basis of the approved final plan map and final plan program.

B. All public site dedications for the entire site and regulations regarding a homeowners' association, if proposed, shall be properly recorded prior to the issuance of any building permit. [Ord. 1037 § 1, 1997; Ord. 950 § 76, 1991.]

Response: The applicant will submit building permits in accordance with the proposed PUD. The public streets and proposed open space will be dedicated with each phase of development and will therefore be prior to any issuance of a building permit. A home owners association and CC&R's will be recorded with the first phase of the subdivision plat.

17.65.100 Revocation.

A. In the event of a failure to comply with the approved final plan map and final plan program, the planning commission may, after notice and hearing, revoke a planned unit development application.

B. The findings of the planning commission shall become final 30 days after the date of decision unless appealed to the city council in accordance with JCMC 17.150.120. [Ord. 1037 § 1, 1997; Ord. 950 § 77, 1991.]

Response: The applicant will comply with the provisions of this section.

OREGON ADMINISTRATIVE RULES (OAR)

3. Chapter 660: Land Conservation & Development Department

(A) Division 3: Procedure For Review & Approval Of Compliance Acknowledgment Request

Response: The Land Conservation & Development Commission granted acknowledgement of the Junction City Comprehensive Plan, pursuant to the process outlined under this OAR Section. Therefore, the applicant's request for a Land Subdivision is being made within a jurisdiction that possesses an acknowledged Comprehensive Plan.

(B) Division 12: Transportation Planning

(i) 660-012-0060 — Plan and Land Use Regulation Amendments

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

Response: The proposed land subdivision will not significantly affect an existing or planned transportation facility, see traffic study prepared by Southern Oregon Transportation Engineering for specific analysis.

(C) Division 15: Statewide Planning Goals & Guidelines

(ii) 660-15-0000(1), Goal 1 — Citizen Involvement

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Response: The applicant is working through the Junction City process to apply for the proposed subdivision as regulated by Article 16 and 17 of the Junction City Municipal Code (JCMC). As such, notice of the application will be sent to neighboring property owners, printed in a newspaper of general circulation in Junction City for two consecutive days not less than 20 days prior to the hearing and posted on site in compliance with JCMC. Review of the proposed subdivision shall undergo a Planning Commission hearing at the discretion of the planning staff. The mailed notices, posted notice, printed notice, and hearing will provide sufficient opportunities for citizens of Junction City to comment on the proposal.

(iii) 660-15-0000(2), Goal 2 — Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

City, County, State and Federal Agencies and special district plans and actions related to land use shall be consistent with the Comprehensive Plans of cities and counties and regional plans adopted under ORS Chapter 268.

Response: Through the submittal of this application, along with all of the accompanying information, the applicant is demonstrating and justifying that the proposed land subdivision is in conformance with all applicable standards of the Comprehensive Plan and the JCMC.

(iv) 660-15-0000(3), Goal 3 — Agricultural Lands

To preserve and maintain agricultural lands.

Response: Although the current use of the property is for agriculture, this property is not zoned Agricultural Lands, therefore this section is not applicable.

(v) 660-15-0000(4), Oregon Land Use Planning Goal 4 — Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Forest lands are those lands acknowledged as forest lands as of the date of adoption of this goal amendment. Where a plan is not acknowledged or a plan amendment involving forest lands is proposed, forest land shall include lands which are suitable for commercial forest uses including adjacent or nearby lands which are necessary to permit forest operations or practices and other forested lands that maintain soil, air, water and fish and wildlife resources.

(a) Guidelines

B. Implementation

1. Before forest land is changed to another use, the productive capacity of the land in each use should be considered and evaluated.

Response: This property is not zoned forestry, therefore this section is not applicable.

(vi) 660-15-0000(5), Goal 5 — Open Space, Scenic, and Historic Areas and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: The site proposed for the land subdivision does not exhibit any historic resources. The property has been delineated by a wetland professional, with identified wetlands shown on the preliminary plan. The majority of the development is proposed outside of the wetland areas, which will not allow development or disturbance of the existing wetland facilities. Therefore, the encouragement of the protection and management

of significant resources in mutual cooperation with appropriate Federal or State agencies will be accomplished with this development.

(vii) 660-15-0000(6), Goal 6 — Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Response: If the City approves this application, the site would subsequently be developed into residential lots for single and multiple family dwellings. The development of this site would only include enough site disturbance to build a single family dwelling on each lot. Once home construction is complete, trees and other vegetation would be landscaped by homeowners and allowed to grow indefinitely, thereby continuously improving air quality.

(viii) 660-15-0000(7), Goal 7 — Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

Response: The site is not located within a fire hazard area, existing vegetation is light with the property currently being used for farming. The site is located within the Junction City Rural Fire District.

(ix) 660-15-0000(8), Goal 8 — Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Response: The proposed subdivision is not seeking to develop the site as one that would meet the recreational needs of Junction City. However, approximately 19 acres of open space will be dedicated with the development of the subdivision with pedestrian trails being proposed for the enjoyment of the open space by the residents.

(x) 660-15-0000(9), Goal 9 — Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Response: The approval of the land subdivision application for residential uses would expand and increase the productivity from several existing industries and firms. First, it would utilize several components of the development, construction and building industries and trades through site development work, home construction and ongoing home improvement. Second, it would create additional residents / consumers within the area that would utilize the many firms and industries that provide residents with the many goods and services that are typically demanded by residents of the area.

(xi) 60-15-0000(10), Goal 10 — Housing

To provide for the housing needs of citizens of the state.

(b) Guidelines

A. Planning

1. In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include:

(1) a comparison of the distribution of the existing population by income with the distribution of available housing units by cost;

(2) a determination of vacancy rates, both overall and at varying rent ranges and cost levels;

(3) a determination of expected housing demand at varying rent ranges and cost levels;

(4) allowance for a variety of densities and types of residences in each community; and

Response: Approval of this subdivision request will allow the development of approximately 279 single family home sites, 69 multiple family home sites, and 1 high density residential parcel that are all unique in nature to the surrounding area.

(xii) 660-15-0000(11), Goal 11 — Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: The individual lots will be served by city sewer and water facilities. The properties will receive additional public services from the Junction City Rural Fire District; Junction City Police Department; Lane County social services programs; applicable school district(s); applicable waste collection services; and applicable ambulance / medical facilities and services. No new public facilities or services are proposed as part of this application as these services are already in place.

(xiii) 660-15-0000(12), Goal 12 — Transportation

To provide and encourage a safe, convenient and economic transportation system. A transportation plan shall:

(9) Conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

Response: Approval of this request would lead to development of single and multiple family residential homes as allowed by the existing underlying city zoning. See the Transportation study prepared by Southern Oregon Transportation Engineers for an analysis of the impacts on the surrounding transportation system.

(xiv) 660-15-0000(13), Goal 13 — Energy Conservation

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: If the site is developed into a subdivision, new homes on the property shall be constructed pursuant to the energy efficient standards that are required by the current edition of the International Building Code (IBC). Electric utilities shall be installed

underground, thereby minimizing the need for repair and replacement of electric energy infrastructure.

Technological strides continue to be made in the solar energy and the ground source heating and cooling field that will continue to make these alternatives more attractive each year. There are tax rebates and incentives available for such systems that will also help to persuade homeowners to the advantages of such technologies.

(xv) 660-15-0000(14), Goal 14 — Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

(c) Single-Family Dwellings in Exception Areas

Notwithstanding the other provisions of this goal, the commission may by rule provide that this goal does not prohibit the development and use of one single-family dwelling on a lot or parcel that:

(a) Was lawfully created;

(b) Lies outside any acknowledged urban growth boundary or unincorporated community boundary;

(c) Is within an area for which an exception to Statewide Planning Goal 3 or 4 has been acknowledged; and

(d) Is planned and zoned primarily for residential use.

Response: If the proposed land subdivision is approved, the site would be developed into single and multiple family dwellings as allowed by the underlying City zoning. The subdivision will be legally created through the platting process, and utilities will be installed and extended to each new lot.

(xvi) Statewide Planning Goals 15 – 19 do not apply to Junction City.

(D) Division 18: Plan & Land Use Regulation Amendment Review Rule

(xvii) 660-018-0005 — Purpose

This division is intended to implement provisions of ORS 197.610 through 197.625. The overall purpose is to carry out the state policies outlined in ORS 197.010 and Or Laws 2003, Chapter 800, Section 17(2).

Response: OAR 660-018 provides the requirements for notices, timelines, appeal procedures and other items relating to Land Use applications. It is understood that the process, submittal requirements, procedure, appeal options, timelines, etc., of the proposed application, is subject to all of the applicable definitions, criteria, standards, etc., that are outlined in this Division. Further, the applicant will work with City Staff to assure that all procedures are properly followed.

OREGON REVISED STATUTES (ORS)

ORS Chapter 92 – Subdivisions and Partitions

92.014 Approval of city or county required for specified divisions of land. (1) A person may not create a street or road for the purpose of subdividing or partitioning an area or tract of land without the approval of the city or county having jurisdiction over the area or tract of land to be subdivided or partitioned.

(2) Notwithstanding ORS 92.175, an instrument dedicating land to public use may not be accepted for recording in this state unless the instrument bears the approval of the city or county authorized by law to accept the dedication

Response: This application for a land subdivision meets the requirements of ORS 92.014 if the applicant receives approval from Junction City.

92.040 Application for approval of subdivision or partition; tentative plan; applicability of local government laws. (1) Before a plat of any subdivision or partition subject to review under ORS 92.044 may be made and recorded, the person proposing the subdivision or partition or authorized agent or representative of the person shall make an application in writing to the county or city having jurisdiction under ORS 92.042 for approval of the proposed subdivision or partition in accordance with procedures established by the applicable ordinance or regulation adopted under ORS 92.044. Each such application shall be accompanied by a tentative plan showing the general design of the proposed subdivision or partition. No plat for any proposed subdivision or partition may be considered for approval by a city or county until the tentative plan for the proposed subdivision or partition has been approved by the city or county

Response: The applicant has included a tentative plan map with the land subdivision application for review to Junction City. The final plat map for this subdivision will not be recorded until tentative plan approval is obtained from the City.

92.050 Requirements of survey and plat of subdivision and partition.

(1) A person shall not submit a plat of a subdivision or partition for record, until all the requirements of ORS 209.250 and the plat requirements of the subdivision or partition have been met.

(2) The survey for the plat of the subdivision or partition shall be done in a manner to achieve sufficient accuracy that measurements may be taken between monuments within one-tenth of a foot or one ten-thousandth of the distance shown on the subdivision or partition plat, whichever is greater.

(3) The survey and plat of the subdivision or partition shall be made by a registered professional land surveyor.

(4) The plat of the subdivision or partition shall be of sufficient scale and lettering size, approved by the county surveyor, so that:

(a) The survey and mathematical information and all other details are clearly and legibly shown on the plat.

(b) Each lot or parcel is numbered consecutively.

(c) The lengths and courses of the boundaries of each lot or parcel are shown on the plat.

(d) Each street is named and shown on the plat.

(5) The locations and descriptions of all monuments found or set must be carefully recorded upon all plats and the proper courses and distances of all boundary lines, conforming to the surveyor's certificate, must be shown.

(6) The location, dimensions and purpose of all recorded and proposed public and private easements must be shown on the subdivision or partition plat along with the county clerk's recording reference if the easement has been recorded by the county clerk. Private easements become effective upon the recording of the plat.

(7) The area of each lot or parcel must be shown on the subdivision or partition plat.

(8) In addition to showing bearings in degrees, minutes and seconds and distances in feet and hundredths of a foot, the following curve information must be shown on the subdivision or partition plat either on the face of the map or in a separate table:

(a) Arc length;

(b) Chord length;

(c) Chord bearing;

(d) Radius; and

(e) Central angle.

(9) A city or county may not require that a final subdivision, condominium or partition plat show graphically or by notation on the final plat any information or requirement that is or may be subject to administrative change or variance by a city or county or any other information unless authorized by the county surveyor. [Amended by 1955 c.756 §10; 1983 c.309 §3; 1989 c.772 §8; 1991 c.763 §10; 1993 c.702 §3; 1995 c.382 §4; 1997 c.489 §2; 1999 c.1018 §1; 2005 c.399 §5

Response: The applicant has retained the services of Rhine-Cross Group, LLC to prepare the Tentative Subdivision Plan and application for the land subdivision. The final plat map will be prepared by an Oregon Registered Land Surveyor in accordance with ORS 92.050 should the applicant receive tentative plan approval from the City. The subdivision will be monumented in accordance with ORS 92.060.

92.075 Declaration required to subdivide or partition property; contents.

(1) In order to subdivide or partition any property, the declarant shall include on the face of the subdivision or partition plat, if a partition plat is required, a declaration, taken before a notary public or other person authorized by law to administer oaths, stating that the declarant has caused the subdivision or partition plat to be prepared and the property subdivided or partitioned in accordance with the provisions of this chapter. Any dedication of land to public purposes or any public or private easements created, or any other restriction made, shall be stated in the declaration.

(2) If the declarant is not the fee owner of the property, the fee owner and the vendor under any instrument of sale shall also execute the declaration for the purpose of consenting to the property being subdivided or partitioned.

(3) If the subdivision or partition plat contains any dedication or donation of land to public purposes, the holder of any mortgage or trust deed shall also execute the declaration for the purpose of consenting to the property being submitted to the provisions of this chapter.

(4) Notwithstanding the provisions of subsections (1) to (3) of this section, the fee owner, vendor or the mortgage or trust deed holder may record an affidavit consenting to the declaration of property being subdivided or partitioned and to any dedication or donation of property to public purposes. The affidavit must indicate the recorded document by which the interest in the property was acquired and all information required by ORS 93.410 to 93.530 and must be recorded in deed records at the same time as the subdivision or partition plat. The county clerk shall note the recording information of the affidavit on the original and any exact copies of the subdivision or partition plat. [1991 c.763 §3; 1995 c.382 §8; 2005 c.399 §9]

Response: The final plat map will be prepared by an Oregon Registered Land Surveyor and will contain a declaration, taken before a notary public, stating the requirements of ORS 92.075

92.080 Preparation of plat.
Notwithstanding ORS 205.232 and 205.234, all plats subdividing or partitioning land in a county in this state, dedications of streets or roads or public parks and squares and other writings made a part of the subdivision or partition plats offered for record in a county in this state must be made on material that is 18 inches by 24 inches in size with an additional three-inch binding edge on the left side when required by the county clerk or the county surveyor, that is suitable for binding and copying purposes, and that has the characteristics of strength and permanency required by the county clerk and county surveyor. All signatures on the original subdivision or partition plat must be in archival quality black ink. The subdivision or partition plat must be of a scale required by the county surveyor. The lettering of the approvals, the declaration, the surveyor's certificate and all other information must be of a size or type to be clearly legible, but the information may not come nearer an edge of the sheet than one inch. The subdivision or partition plat may be placed on as many sheets as necessary, but a face sheet and an index page must be included for subdivision or partition plats placed upon three or more sheets. [Amended by 1955 c.756 §12; 1973 c.696 §15; 1985 c.582 §1; 1989 c.772 §12; 1991 c.763 §14; 1993 c.321 §6; 1993 c.702 §5; 1997 c.489 §5; 1999 c.710 §3; 2005 c.399 §10]

Response: The final plat map will be prepared by an Oregon Registered Land Surveyor and will be on approved material 18"X24" in size with all the requirements of ORS 92.080.

92.095 Payment of taxes, interest or penalties before subdivision or partition plat recorded.

(1) A subdivision or partition plat may not be recorded unless all ad valorem taxes have been paid, including additional taxes, interest and penalties imposed on land disqualified for any special assessment and all special assessments, fees or other charges required by law to be placed upon the tax roll that have become a lien upon the land or that will become a lien during the tax year.

(2) After July 1, and before the certification under ORS 311.105 of any year, the subdivider or partitioner shall:

(a) If the exact amount of taxes, penalties, special assessments, fees and charges can be computed by the assessor, pay the amount to the tax collector. The assessor is authorized to levy and the tax collector is authorized to collect the amount.

(b) If the assessor is unable to compute the amount at the time, either:

(A) Pay the amount estimated by the assessor to be needed to pay the taxes, penalties, special assessments, fees and other charges to become due; or

(B) Deposit with the tax collector a bond or irrevocable letter of credit with a good and sufficient undertaking in an amount the assessor considers adequate to ensure payment of the taxes to become due. The bond or irrevocable letter of credit amount may not exceed twice the amount of the previous year's taxes, special assessments, fees and other charges upon the land.

(3) Taxes paid or for which security is given under subsection (2)(a) or (b) of this section are entitled to the discount provided by ORS 311.505.

(4) ORS 311.370 applies to all taxes levied and collected under subsection (2) of this section, except that any deficiency constitutes a personal debt against the person subdividing or partitioning the land and not a lien against the land and must be collected as provided by law for the collection of personal property taxes.

(5) If a subdivision or partition plat is recorded, any additional taxes, interest or penalties imposed upon land disqualified for any special assessment become a lien upon the land on the day before the plat was recorded

Response: If the applicant receives approval from Junction City for the land subdivision, all ad valorem taxes shall be paid prior to recording the final plat.

92.100 Approval of plat by city or county surveyor; procedures; approval by county assessor and county governing body; fees.

(1)(a) Except as provided in subsection (4) of this section, before a subdivision or partition plat that covers land within the corporate limits of a city may be recorded, the county surveyor must approve the plat.

(b) Notwithstanding ORS 92.170, the governing body of the city may, by resolution or order, designate the city surveyor to serve in lieu of the county surveyor or, with concurrence of the county surveyor, a contract surveyor to act as city surveyor.

(c) Except as provided in subsection (4) of this section, if the land is outside the corporate limits of any city, the subdivision or partition plat must be approved by the county surveyor before it is recorded.

(d) All subdivision plats must also be approved by the county assessor and the governing body of the county in which the property is located before recording.

(e) Notwithstanding paragraph (d) of this subsection, a county may provide by ordinance for the approval of subdivision plats by:

(A) The county assessor; and

(B)(i) The chairperson of the governing body of the county;

(ii) The vice chairperson of the governing body of the county; or

(iii) A person designated in lieu of the chairperson or vice chairperson.

(f)(A) A partition plat is subject only to the approval of the city or county surveyor unless:

(i) The partition plat includes a dedication of land for public road purposes; or

(ii) Provided otherwise by ordinance of the governing body.

(B) The city or county surveyor shall review the partition plat only for compliance with the survey-related provisions of ORS 92.010 to 92.192 and 209.250.

(2) Before approving the subdivision plat as required by this section, the county surveyor shall check the subdivision site and the subdivision plat and shall take measurements and make

computations and other determinations necessary to determine that the subdivision plat complies with the survey-related provisions of ORS 92.010 to 92.192 and 209.250 and with survey-related requirements established pursuant to an ordinance or resolution passed by the governing body of the controlling city or county.

(3) Before approving the partition plat as required by this section, the county surveyor shall check the partition plat and make computations and other determinations that the partition plat complies with the survey-related provisions of ORS 92.010 to 92.192 and 209.250 and with the survey-related requirements established pursuant to an ordinance or resolution by the governing body of the controlling city or county.

(4) Before a subdivision or partition plat prepared by the county surveyor in a private capacity may be recorded, the plat must be approved in accordance with subsection (2) or (3) of this section, whichever is applicable, by the surveyor of a county other than the county in which the land is located and who has been designated by the county surveyor.

(5) For performing the service described:

(a) In subsection (2) of this section, the county surveyor shall collect from the subdivider or declarant a fee of $100 plus $5 for each lot contained in the subdivision. The governing body of a city or county may establish a higher fee by resolution or order.

(b) In subsection (3) of this section, the county surveyor shall collect from the partitioner or declarant a fee to be established by the governing body.

(c) In subsection (4) of this section, the designated county surveyor shall collect the applicable subdivision or partition plat check fee, and any travel expenses incurred, as established by the designated county surveyor's board of commissioners. The subdivision or partition plat check fee and other expenses must be paid by the subdivider, partitioner or declarant prior to approval of the subdivision or partition plat by the designated county surveyor.

(6) Nothing in this section prohibits a city, county or special district from requiring engineering review and approval of a subdivision plat to ensure compliance with state and local subdivision requirements that relate to matters other than survey adequacy.

(7) Granting approval or withholding approval of a final subdivision or partition plat under this section by the county surveyor, the county assessor or the governing body of a city or county, or a designee of the governing body, is not a land use decision or a limited land use decision, as defined in ORS 197.015.

Response: The final plat map will be prepared by an Oregon Registered Land Surveyor and will be submitted to Junction City and the Lane County Surveyor for review and approval. All fees required by the County Surveyor will be paid by applicant. The plat map will be recorded by Lane County after all required jurisdictional signatures and approvals have been obtained in accordance with ORS 92.100.

ORS Chapter 197 – Comprehensive Land Use Planning Coordination

4. Comprehensive Planning Responsibilities

(J) 197.175 — Cities' and counties' planning responsibilities; rules on incorporations; compliance with goals.

(1) Cities and counties shall exercise their planning and zoning responsibilities, including, but not limited to, a city or special district boundary change which shall mean the annexation of unincorporated territory by a city, the incorporation of a new city and the formation or change of organization of or annexation to any special district authorized by ORS 198.705 to 198.955, 199.410 to 199.534 or 451.010 to 451.620, in accordance with ORS chapters 195, 196 and 197 and the goals approved under ORS chapters 195, 196 and 197. The Land Conservation and Development Commission shall adopt rules clarifying how the goals apply to the incorporation of a new city. Notwithstanding the provisions of section 15, chapter 827, Oregon Laws 1983, the rules shall take effect upon adoption by the commission. The applicability of rules promulgated under this section to the incorporation of cities prior to August 9, 1983, shall be determined under the laws of this state.

Response: It is understood that in the review of this proposed land subdivision, Junction City is required to abide by the applicable planning responsibilities and compliance with the Goals in the manner that is outlined above.

(2) Pursuant to ORS chapters 195, 196 and 197, each city and county in this state shall:

(a) Prepare, adopt, amend and revise comprehensive plans in compliance with goals approved by the commission;

(b) Enact land use regulations to implement their comprehensive plans;

(c) If its comprehensive plan and land use regulations have not been acknowledged by the commission, make land use decisions and limited land use decisions in compliance with the goals;

(d) If its comprehensive plan and land use regulations have been acknowledged by the commission, make land use decisions and limited land use decisions in compliance with the acknowledged plan and land use regulations; and

(e) Make land use decisions and limited land use decisions subject to an unacknowledged amendment to a comprehensive plan or land use regulation in compliance with those land use goals applicable to the amendment.

Response: Junction City possesses an acknowledged Comprehensive Plan that is in compliance with the Statewide Goals. It has also adopted land use regulations through the JCMC. The City makes land use decisions and limited land use decisions in compliance with its Plan and the JCMC. In turn, the City's land use decision on the proposed land subdivision must be in compliance with its Plan and the JCMC.

5. Goals Compliance

(E) 197.250 — Compliance with goals required.

Except as otherwise provided in ORS 197.245, all comprehensive plans and land use regulations adopted by a local government to carry out those comprehensive plans and all plans, programs, rules or regulations affecting land use adopted by a state agency or special district shall be in compliance with the goals within one year after the date those goals are approved by the Land Conservation and Development Commission.

Response: The Junction City Comprehensive Plan and JCMC — along with all plans, programs, rules or regulations affecting land use that are adopted by a State agency or special district — are in compliance with the Statewide Goals. In turn, the City's decision on the proposed land subdivision must be in compliance with the Statewide Goals.

(F) 197.251 — Compliance acknowledgment; commission review; rules; limited acknowledgment; compliance schedule.

(1) Upon the request of a local government, the Land Conservation and Development Commission shall by order grant, deny or continue acknowledgment of compliance of comprehensive plan and land use regulations with the goals. A commission order granting, denying or continuing acknowledgment shall be entered within 90 days of the date of the request by the local government unless the commission finds that due to extenuating circumstances a period of time greater than 90 days is required.

Response: The Land Conservation & Development Commission granted acknowledgement of the Junction City Comprehensive Plan, pursuant to the process outlined under this Section. Therefore, the applicant's request for a land subdivision is being made within a jurisdiction that possesses an acknowledged Comprehensive Plan. In turn, the City's decision on the proposed land subdivision must be in compliance with the City's acknowledged Comprehensive Plan.

6. Enforcement Of Planning Requirements

(G) 197.340 — Weight given to goals in planning practice; regional diversity and needs.

(1) The Land Conservation and Development Commission, the Department of Land Conservation and Development, other state agencies and local governments shall give the goals equal weight in any matter in which the goals are required to be applied.

Response: The applicant has addressed and provided findings that pertain to all 19 goals, each of which has been weighed equally. Goals 1 through 2 and 5 through 14 apply directly to this proposal. Goal 3 and 4 do not apply to this proposal because the subject property is not designated as Agricultural or Forestry. Goal 15 does not apply because the subject property does not impact the Willamette River Greenway. Goals 16 through 19 do not apply because the subject property is not located within a coastal community and does not exhibit any of the natural coastal features or environments that are addressed by these Goals. In turn, the City's review and decision on the proposed land subdivision must apply each Goal equally.

(2) The commission and the department shall consider and recognize regional diversity and differences in regional needs when making or reviewing a land use decision or otherwise applying the goals.

Response: It is understood that DLCD, and if necessary LCDC, shall consider and recognize regional diversity and differences in regional needs, such as those peculiar to Junction City and the area of the subject property, when reviewing the City's land use decision on the proposed land subdivision and applying the Goals in its review.

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

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

- ☐ Annexation
- ☐ Comprehensive Plan Amendment
  - ☐ Map ☐ Text
- ☐ Development Review
- ☒ Other: Conditional Use Permit for Planned Unit Development
- ☐ Partition
  - ☐ Preliminary ☐ Final
- ☐ Subdivision
  - ☐ Preliminary ☐ Final
- ☐ Temporary Use Permit
- ☐ Vacation
- ☐ Variance
  - ☐ Major ☐ Minor

LOCATION OF PROPERTY OR ADDRESS: 94262 Oaklea Dr.	
SIZE OF PROPERTY(S): +/- 86 Acres	ASSESSOR'S MAP AND TAX LOT #: 15-04w-31 T.L. 2400 & 2500
PRESENT USE: Vacant/ Farming	PROPOSED USE: Residential
BRIEF SUMMARY OF ACTION REQUESTED: Approval of master plan to finalize the land use zoning and approval of the preliminary phase 1 subdivision	

PROPERTY OWNER: Oaklea Enterprises, Inc.	
ADDRESS: 1210 Rose St, Junction City, OR 97448	
APPLICANT'S NAME: Hayden Homes, LLC.	
ADDRESS: 2464 SW Glacier Place, Suite 110, Redmond, OR 97756	
PHONE: (503) 888-0985	E-MAIL: jlovrien@hayden-homes.com

CONTACT: Jesse Lovrien	
ADDRESS: Same as Applicant	
APPLICANT'S NAME:	
ADDRESS:	
PHONE:	E-MAIL:

ATTACHMENT(S):

☐ Copy of Deed ☐ Other: _____

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] Partner

Oaklea Enterprises Inc.

Date: 2-1-15

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FINAL ORDER OF THE JUNCTION CITY PLANNING COMMISSION
ROLLING MEADOWS PUD
PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD-14-01)

A. The Junction City Planning Commission finds the following:

a. The applicant has submitted the application and preliminary plan as required by Chapter 17.65 of the Junction City Municipal Code.

b. The Junction City Planning Commission met on April 15, 2015 after giving the required notice for public hearing per Chapter 17.150.080 of the Junction City Municipal Code.

c. The Junction City Planning Commission followed the required procedure of approving a conditional use permit as required by Chapter 17.130 of the Junction City Municipal Code.

B. Conditions of Approval:

1. In order to ensure the PUD is completed as submitted, a performance bond shall be submitted for open space improvements prior to final PUD approval.

2. A Wetland Enhancement Plan approved by Division of State Lands shall be provided as associated with each phase of the development.

3. The proposed entry sign shall be installed as part of Phase-1 of the PUD, in accordance with a Junction City approved sign permit.

4. In order to ensure a park area is available to residents of the PUD as it develops, the park shall be developed no later than Phase III. Alternatively, the private park may be developed no later than Phase IV if the public park has been fully improved consistent with the adopted Parks and Open Space Master Plan.

5. Development and construction on the site shall conform substantially to the preliminary PUD plans submitted and PUD conditions approved by the Planning Commission (PUD-14-01). In addition the following applies:
    - Density of the proposed development shall not increase over the 15% adjustment allowed under 17.65.060(C)(2)(c)
    - Public park acreage shall not be less than that proposed
    - Open space tracts and wetland preservation area acres shall not be less than that proposed
    - No panhandle lots shall be allowed
    - All development shall comply with Public Works Design standards and Variances to these standards as approved.

6. The applicant shall record a dedicated reserve strip at the phase line on the subdivision plat prior to each final plat approval.

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7. The applicant shall revise the proposed alignment for the extension of West 10th Avenue for review and approval prior to final approval.

8. Prior to Final PUD approval the applicant shall dedicate or cause to be dedicated, by instrument approved by the City, the proposed right-of-way for the extension of West 10th Avenue and shall construct West 10th Avenue.

9. All street stubs shown on the preliminary subdivision plat shall be provided with a turn-around prior to final plat approval. Removal of the turn-around shall be at the option and cost of the owner of the lot where the turnaround is located.

10. Street trees shown on the Master Plan Map shall be detailed in the required landscaping plan at the time of final PUD submittal.

11. Where required, easements for utilities shall be dedicated on the final plat for each phase.

12. 10th street shall be a full width street with curb, gutters, and sidewalk on the south side and curb and gutter at the minimum on the north side.

13. The zone of benefits for the Oaklea Meadows pump station shall be paid in full prior to building permit issuance of the first phase of development.

14. The applicant shall revise the proposed alignment for the extension of West 10th Avenue for review and approval by Lane County prior to development approval. The new connection of West 10th Avenue on the west side of Oaklea Drive shall be revised to meet minimum intersection standards. Offset intersections shall meet the requirements of LC 15.137(6)(b).

15. The applicant shall construct one half street improvements along the development frontage on Oaklea Drive. Half street improvements to Oaklea Drive shall at a minimum be constructed concurrently with each adjoining phase of the development.

16. The applicant shall construct a 12 foot wide continuous Two-Way-Left-Turn-Lane (TWLTL) on Oaklea Drive along the entire frontage of the development. The TWLTL design shall provide for reasonable vehicle storage for southbound traffic at the intersection of West 10th Avenue (minimum 50 feet), and shall provide pavement tapers to the north. The design shall provide tapered widening south of West 6th Avenue for northbound traffic, subject to right-of-way limitations to the south. The design shall also provide striped vehicle storage (minimum 75 feet) for northbound traffic at West 6th Avenue and a striped taper for southbound traffic. Pavement tapers for the TWLTL on Oaklea Drive shall be designed to meet minimum AASHTO standards and shall be approved by Lane County prior to construction.

17. The applicant shall construct improvements to the easterly side of Oaklea Drive to provide functional two-way-left-turn-lanes (TWLTL) and tapers, to service the intersection of Oaklea Drive and 10th Avenue, improvements shall as a minimum

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timeline be constructed concurrent with Phase 3. Improvements to the westerly and easterly side of Oaklea Drive to complete the functional two-way-left-turn-lanes (TWLTL) and tapers for the remaining portion of the development, shall as a minimum timeline be constructed during Phase 4, and shall be completed no later than when Breckenridge Drive is connected from Phases 1-3 to 6th Avenue which is connected to Oaklea Drive. The said phasing corresponding to the applicant provided Master Plan.

18. The applicant shall construct ADA compliant ramps, sidewalk landings and all necessary associated curbs at all four corners of the Oaklea Drive intersections with West 6th Avenue and West 10th Avenue. Sidewalk and ramps at the northeast corner of West 10th Avenue shall be connected to existing sidewalks immediately east of the intersection. The said pedestrian improvements shall be constructed in conjunction with each phase of the adjacent roadway improvements.

19. The applicant shall construct bike lanes as part of the west side half street improvements. The said bike lanes shall meet the requirements of LC 15.702(9)(a) and LC 15.702(9)(b). Lane County will not require bike lanes to be marked as required by LC 15.709(c) until such time as full width improvements have been completed on the east side of Oaklea Drive.

20. The applicant shall provide striping and related stripe removal as necessary to facilitate each phase of construction, as well as for the final design configuration of Oaklea Drive. Striping shall include required transition tapers, fog line, left turn lanes etc. Specific striping plans shall be submitted for review and approval for each phase of the work at the time of facility permit application.

21. As shown on the applicant provide Master Plan and Tentative Plat Rolling Meadows Phase 1, the applicant shall dedicate sufficient right-of-way to maintain a minimum 35 feet of right-of-way along the development frontage on the west side of the centerline of Oaklea Drive and such other right-of-way as may be required to construct the required improvements.

22. The applicant shall construct 11 foot wide travel lanes on Oaklea Drive, consistent with LC 15.702(5).

23. Curbside sidewalks shall be 6 foot minimum, excluding the curb, consistent with LC 15.702(8).

24. Except as modified within these conditions of approval, the applicant shall construct all required improvements to Oaklea Drive to meet the minimum urban collector standards of LC 15.702.

25. A Lane County Facility Permit shall be required for placement of facilities within the right-of-way of Oaklea Drive. Facilities and development includes, but is not limited to, road improvements, sidewalks, new or reconstructed driveway or road approach intersections, utility placements, excavation, clearing, grading, culvert placement or replacement, storm water facilities, or any other facility, thing, or appurtenance [LC 15.205(1)].

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26. A Lane County Facility Permit shall be required for the following:
    - Construction of the new intersections at West 6th Avenue and West 10th Avenue.
    - Construction of emergency and pedestrian accesses known as Tract 'B' and Tract 'E'.
    - Construction of all storm water an road improvements to Oaklea Drive.
    - Striping and any related stripe removal on Oaklea Drive.
    - Any other work within the right-of-way of Oaklea Drive.

    As part of the Facility Permit process, the applicant shall provide Engineering drawings for Lane County review and approval for each phase of the work prior to the issuance of Facility Permits.

27. Storm water runoff from private property shall not be directed to the Lane County road right-of-way, or into any Lane County drainage facility, including roadside ditches. Ditches adjacent to County roads are designed solely to accommodate roadway storm water runoff.

    The applicant shall submit Storm Water Design plans, necessary reports and calculations as required for Lane County permit staff review and approval of storm water facilities on Oaklea Drive. Please coordinate with Lane County Senior Engineering Associate, Brad Lemhouse at (541) 682-6928 for review and approval of the storm water design. Lane County storm water design approval shall be required prior to approval of this development.

C. IT IS HEREBY ORDERED THAT the Junction City Planning Commission approves the planned unit development for a portion of tax lots 2400 and 2500 of Assessor's Map 15-04-31-00 with the conditions of approval listed above based on the following findings of fact:

Applicable criteria from of JCMC Chapter 17.65 Planned Unit Development are *listed in italics* and **findings are highlighted with bold font**.

The following general requirements will apply to planned unit developments:

a. A planned unit development shall be allowed in all zones as a conditional use according to the procedures set forth for such uses. Minimum site area shall be two acres to qualify for a PUD.

A Conditional Use application has been submitted by the applicant. Conditional Use criteria will be addressed within the Final Order for file CUP-15-01. The subject properties collectively are 84.5 acres in size, therefore this provision is met.

b. As a condition of approval of a planned unit development, the planning commission may require the following:

(1) A performance bond or other securities acceptable to the City to insure that a Planned Unit Development is completed as submitted.

The applicant is proposing to dedicate 18.5 acres for a public open space and a developed .5 acre public park (Tract C) with Phase III of PUD. The public park is proposed to be developed prior to the enhancements of the public open space. A timeline for the enhancement of public open space has not submitted. In order to ensure the PUD is completed as submitted, a performance bond shall be submitted for open space improvements prior to final PUD approval.

The applicant has proposed wetland preservation along the western portion of the site. The trails and open spaces will connect residents to natural features of the site. The proposed wetlands enhancements are considered an amenity that will preserve the natural features of the area which will result in a development that is superior to what could be obtained through ordinary lot-by-lot development

According to Division of State Lands a permit is required for any restoration and enhancement within the wetlands. Therefore the applicant shall submit a copy of an approved DSL permit to the City prior to final PUD approval.

In order to ensure the wetland enhancements will be completed as the PUD develops, a wetland enhancement plan approved by DSL shall be submitted to the City for review and implemented with the phasing plan as submitted. A performance bond including wetlands enhancements approved by DSL shall be submitted to the city for review and approval prior to PUD Final Approval.

In order to ensure the PUD is developed as submitted, development and construction on the site shall conform substantially to the preliminary PUD plans submitted and conditions approved by the planning Commission. In addition the following applies:

- **Density of the proposed development shall not increase**
- **Public park acreage shall not be less than that proposed**
- **Open space tracts and wetland preservation area acres shall not be less than that proposed**
- **No additional panhandle lots shall be allowed**
- **All development shall comply with Public Works Design standards and Variances to these standards as approved.**

Street and other public improvements as part of Preliminary Subdivision approval will be included in a separate Final Order reviewed and approved by the Planning Commission.

(b) An Economic Impact Statement if the Planned Unit Development is of a sufficient size and economic complexity.

The Planning Commission finds the proposed Planned Unit Development is not of a sufficient size or complexity to require an Economic Impact Statement

(c) An Environmental Impact Study if the Planned Unit Development is large enough to have critical impact upon the land and environment.

The planned unit development includes delineated wetlands that have been approved by DSL. In addition the applicant has submitted a wetland enhancement plan that is required to be reviewed and approved by DSL. All traffic impacts will be reviewed by Lane County Transportation Engineering and impact to the City's storm water system is also being reviewed under the subdivision approval process. Therefore the Planning Commission finds the impacts of the development will be sufficiently addressed and an Environmental Impact Study is not required.

(d) Areas for parks or playgrounds, sized according to prevailing statewide and local government standards, shall be permanently reserved within the PUD or provided for off site.

The current standards for park requirements are included in a separate Final Order to be reviewed and approved by the Planning Commission.

(e) Streets be designed and constructed according to City standards and dedicated to the City.

Street design and construction will be reviewed during the preliminary subdivision approval process and will be required to be designed and constructed according to City standards and dedicated to the City.

(f) Easements for the orderly extension, maintenance, repair or replacement of public utilities.

All street frontages adjacent to lots will have a public utility easement (PUE). Easements for the extension and maintenance of public utilities will be reviewed during the preliminary subdivision approval process and will be required to be designed and constructed according to City standards.

(g) Adequate guarantee must be provide to ensure permanent retention of common open space and recreation areas which may be required as conditions of PUD approval. This guarantee may be satisfied by creation of a nonprofit homeowners association to ensure maintenance of the area, or by development of the space to City specifications and acceptance of it by the City, in which case it would be available for general public use.

The common areas in the PUD, including the public park, will be dedicated to the City for public use and will be owned and maintained by the City.

(3) Whenever a Planned Unit Development is subject to the City's subdivision ordinance, the procedures and regulations of the subdivision ordinance shall apply.

The PUD application was submitted with a Preliminary Subdivision application. The subdivision plans will be reviewed by the Planning Commission at the April 15, 2015 meeting. Since a subdivision application is required as part of this

DRAFT

development, a condition of PUD approval is receipt of preliminary and final subdivision approval by the Planning Commission.

JCMC 17.65.060 (C) Upon receiving the preliminary plan map and program, the Planning Commission shall review the proposed Planned Unit Development and shall seek to determine that all of the following conditions are met:

(1) The Planned Unit Development will be consistent with the Comprehensive Plan of the City. Specifically, this includes:

(a) Information indicating how the housing provided in the PUD relates to Junction City area housing needs. All PUD proposals may, consistent with the density allowed by underlying zoning, propose housing concepts including townhouses, condominium-owned multi-family units, mixtures of housing types and lot sizes, multi-plex construction, mobile homes or other kinds of dwellings manufactures off site.

The applicant is proposing 279 Low Density Residential parcels, 69 Medium Density Residential parcels, and 1 High Density Residential parcel in the rolling Meadows PUD on varying lot sizes, which will provide a variety of home ownership opportunities for future residents. The City is expected to have a growing demand for housing with the construction of the planned hospital and planned prison. The proposed PUD will provide a range of housing opportunities for new city residents. The density proposed on the site is consistent with density range allowed for PUDs by the City's Comprehensive Plan.

(b) Description of the municipal service and utilities needed at initial and later phases of PUD occupancy, and whether it is consistent with the City's capital facilities plan.

The application package dated February 9, 2015 includes a phasing plan (Sheet MP1) and a projected development schedule for the proposed PUD. The sanitary pump station constructed in The Reserve at Junction City, Phase I (Oaklea Meadows) was sized to accommodate the needs of the proposed development. Water service is available from the existing adjacent water lines. The proposed storm system will be a combination of storm pipes and low impact development practices, including bio-swales, as proposed by the applicant. All of the services and utilities are of adequate size and quality to serve the proposed 355-lot PUD

(c) Indication that the streets required off-site are provided already, or planned and funded by appropriate city or county agencies. Sufficient access will be required to meet vehicular movement and storage generated by the proposed development. Continuity with future streets in adjoining developments and dedication of sufficient arterial street right-of-way for the proposed development and other developments generally anticipated in the capital facilities plan.

The applicant will be constructing half-street improvements along Oaklea Drive for the proposed PUD in accordance with Lane County Public Works Conditions of

DRAFT

Approval. The streets in Phase I will been constructed to City standards and will provide access to the new neighborhood. Phase I also includes a secondary emergency access to Oaklea Drive (Tract B). Tenth Avenue, proposed to be constructed with Phase I, will be extended west of Oaklea Drive into the site and will provide the first street connection into the PUD. Sixth Avenue, proposed to be constructed with Phase IV, will be extended west of Oaklea Drive into the site and will provide a second street connection into the PUD. All proposed streets will be dedicated to the City upon recordation of the final plat(s) and will be reviewed under the preliminary subdivision approval process.

(d) Assurance that if density of the development in the PUD's initial stages does not warrant public sewer or water connections, that the layout allows for later increases of density to a level that makes such connections financially feasible.

Not applicable. Sewer and water connections will be constructed with the PUD's initial phase (Phase I).

(e) Deed restrictions to support future assessments to provide services necessary for urban densities of development.

Not applicable. No deed restrictions are needed as all services necessary for the proposed density will be provided with construction of the site.

(2) The Planned Unit Development can be developed in harmony with the surrounding area, and between uses within PUD itself. Specifically:

(a) Height, bulk and density of buildings not radically different from those anticipated on adjacent or facing properties. Exceptions could be made if the PUD were in a transitional area between a higher-intensity district and a lower-intensity residential district.

Property south of the site is agricultural and located outside of the urban growth boundary. The duplex residential homes will provide an appropriate transition to the undeveloped land.

Property west of the site is zoned as Public Land (PL). The single family detached homes, and open space areas will provide a compatible transition along this side of the neighborhood.

Within the PUD, the higher density residential uses (proposed Medium Density (, and High Density (H) Designations) have been clustered in the southeast portion of the neighborhood.

The Junction City Comprehensive Plan Chapter 3 Land Use Element, Section II. Comprehensive Plan Map Designations and Implementing Zoning Districts includes policies to encourage the use of Planned Unit Development provisions for

DRAFT

development in order to allow for greater densities in the Low Density Residential designation. The Comprehensive Plan states:

> *"The land use categories mapped on the Comprehensive Plan Land Use Map are:*
>
> *Low-Density Residential – single-family residential uses at a typical density of one to eight dwelling units per acre for detached residential structures. Additional density may be achieved through a Planned Unit Development.*
>
> *Medium-Density Residential – detached and attached residential uses at a typical density of 8 to 12 dwelling units per acre.*
>
> *High-Density Residential – detached, attached, or stacked residential uses at a typical density of 12 or more dwelling units per acre."*

The actual net density for the site is 7.25 units/acre which exceeds the net density minimum of 5.0 dwelling units per net acre, as required per Chapter 9, Policy 2 of the Comprehensive Plan.

(2) Preservation of natural and cultural assets within the area.

The applicant has proposed wetland preservation around the periphery of the site. The trails and open spaces will connect residents to natural features of the site. No impacts are proposed to the wetlands or Flat Creek riparian corridor.

According to Division of State Lands a permit is required for any restoration and enhancement within the wetlands. Therefore the applicant shall submit a copy of an approved DSL permit to the City prior to final PUD approval.

The proposed wetlands enhancements are an amenity that will preserve the natural features of the area which will result in s development that is superior to what could be obtained through ordinary lot-by-lot development. In order to ensure the amenities proposed will be available as the PUD develops, the wetland enhancement plan shall be implemented with the phasing plan as submitted.

(c) Density bonuses of 15 percent may be granted by the Planning Commission as an incentive to go through the PUD process, and providing at least three of the following:

(a) Landscaping.
(b) Public open space.
(c) Provision of low cost housing.
(d) Enhancement of public enjoyment of natural or cultural assets on site.
(e) Solar energy protection.

The Planning Commission finds that the applicant has provided landscaping, public open space, and enhancement of public enjoyment of natural assets onsite, which complies with the polices of the JCMC and Comprehensive Plan and therefore have agreed to allow the density to exceed 5.0 dwelling units per net acre.

DRAFT

JCMC Chapter 17.10.030 Lot Size. In an R1 zone, the lot size shall be as follows:

(1) The minimum lot area shall be 6,000 square feet.

(2) The minimum lot width shall be 60 feet and 35 feet for cul-de-sac lots.

The applicant is proposing modifications to the above standards through the PUD process as permitted by JCMC 17.65.010. For the single family detached homes, the requested minimum lot area is 5,000 square feet; the requested minimum lot width is 50 feet at the front building line and 35 feet at the front building line for cul-de-sac lots.

JCMC Chapter 17.10.040 Setback Requirements. Except as provided in JCMC 17.95.060, in an R1 zone, the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.10.070, shall be as follows:

(1) The front yard shall be a minimum of 18 feet to the front façade of the house and a minimum of 20 feet to the garage. Covered, but unenclosed porches shall be allowed to be a minimum of 10 feet from the property line, as long as it does not encroach into a public utility easement (See Appendix A, Diagram 4).

(2) Each side yard shall be a minimum of 6 feet, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet.

(3) The rear yard shall be a minimum of 15 feet. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of 4 feet.

The applicant is requesting modifications to the above standards through the PUD process as permitted by JCMC 17.65.010. For the single family detached homes, the requested setback for interior side yards is 5 feet, and 10 feet for street side yards.

As conditioned above, the proposed PUD can be made similar in scale, bulk, and density to those in the surrounding neighborhood.

DRAFT

JCMC Chapter17.15.030 Lot Size. In a R2 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.

The applicant is requesting modifications to the above standards through the PUD process as permitted by JCMC 17.65.010. For the single family attached homes, the requested minimum lot area is 4,500 square feet from 5,000. No other changes to this standard are proposed.

JCMC Chapter17.15.040 Setback Requirements. This standard applies to multi-family, townhomes, neighborhood commercial developments, and residential care homes and residential care facilities. Except as provided in JCMC 17.95.060 in an R2 zone the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.10.070, shall be as follows:

A. The front yard shall be a minimum of 18 feet to the front facade of the house and a minimum of 20 feet to the garage. Covered but unenclosed porches shall be allowed to be a minimum of 10 feet from the front property line, as long as they do not encroach into a public utility easement and comply with the vision clearance standards in JCMC 17.95.090 (see Appendix A, Diagram 4).

B. Each side yard shall be a minimum of six feet, measured from the foundation, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet measured from the foundation.

C. The rear yard shall be a minimum of 15 feet, measured from the foundation. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of four feet.

D. In the case of a duplex residential use on a corner lot where primary vehicular access is provided from two

DRAFT

streets, then both yards abutting the street shall be considered the front yard with appropriate front yard setbacks (20 feet from property line to foundation of building). Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2). [Ord. 1116 § 1, 2003; Ord. 1037§ 1, 1997; Ord. 950 § 18, 1991.]

The applicant is requesting modifications to these standards through the PUD process as permitted by JCMC 17.65.010. For the R-2 proposed parcels, the applicant is proposing a 10 foot side yard setback where lots abut a public street, and a 5 foot side setback between buildings and property lines not abutting a street. No changes to the rear yard setback requirements are being proposed.

JCMC 17.15.060 Lot Coverage. In an R2 zone, buildings shall not occupy more than 50 percent of the lot area. [Ord. 1116 § 1, 2003; Ord. 950 § 20, 1991.]

The applicant is not seeking a modification to the lot coverage standards, therefore this criterion has been met.

(3) The time table for the completion of the Planned Unit Development is within reason.

The applicant's compliance narrative includes a projected development schedule for each of the project phases as shown on Sheet MP1 in the application package. Construction of the last phase is expected to be complete by 2024. The time table is based on the construction of approximately 40 to 100 homes in each phase. The final plat for each phase of the PUD will be reviewed through the subdivision plat approval process.

A final subdivision plat for the last phase of the subdivision/PUD shall be submitted within 20 years of the submittal of Phase II unless an extension is approved by the City. As conditioned, the Planning Commission finds the development schedule as proposed is within reason.

D. **This approval shall become final on the date this decision and supporting findings of fact are signed by the Chairperson of the Junction City Planning Commission.** An appeal of the Planning Commission's decision must be submitted to the City Council within 12 days of this Final Order being mailed to all opponents. Appeals may be made by filing written notice with the city and paying the fee equal to the average cost as prescribed by the City Council and cost of the written transcripts up to $500, plus one-half the cost over $500. If no appeal is taken within the 12-day period, the decision of the Planning Commission shall be final. An appeal of the City Council's decision must be submitted to the Land Use Board of Appeals within 21 days of the Council's decision becoming final.

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Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Signature: _____

Jason Thiesfeld, Chairperson of the Junction City Planning Commission

Approval Date: _____

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FINAL ORDER OF THE JUNCTION CITY PLANNING COMMISSION
ROLLING MEADOWS PLANNED UNIT DEVELOPMENT
CONDITIONAL USE PERMIT (CUP-15-01)

A. The Junction City Planning Commission finds the following:

a. The applicant has submitted the application and preliminary plan as required by Chapter 17.65 of the Junction City Municipal Code.

b. The Junction City Planning Commission met on April 15, 2015 after giving the required notice for public hearing per Chapter 17.150.080 of the Junction City Municipal Code.

c. The Junction City Planning Commission followed the required procedure of approving a conditional use permit as required by Chapter 17.130 of the Junction City Municipal Code.

B. Conditions of Approval:

1. Conditions have been imposed on the proposed planned unit development in Final Order PUD 14-01.

C. IT IS HEREBY ORDERED THAT the Junction City Planning Commission approves the conditional use permit allowing a 355-lot planned unit development for a portion of tax lots 2400 and 2500 of Assessor's Map 15-04-31-00 with the conditions of approval listed above based on the following findings of fact:

Applicable criteria from Chapter 17.130.030 of the Zoning Ordinance are *listed in italics* and **findings are highlighted with bold font**.

(2) 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:

(a) The proposal is in conformance with the zoning ordinance;

The applicant provided a Master Plan Map that shows compliance with the Residential Mix Zoning Ordinance by proposing 1 acre of High Density Residential, 9 acres of Medium Density Residential, and the remaining area to by dedicated as Low Density Residential. The proposed conditional use for the subject site is a 355-parcel planned unit development. A PUD allows modifications to the underlying zoning standards, and the applicant has made specific requests for those modifications to the R1, R2 and R3 zones. The proposed PUD conforms to all other applicable requirements of the City's Zoning Ordinance.

(b) 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;

The 84.5 acre subject property is a large site that can accommodate the proposed 355-lot PUD as shown in the preliminary site plans. The applicant is avoiding all impacts to the site's wetlands and is providing parks and open spaces in exchange for modifications to the standards for the underlying R1, R2 and R3 zones. The applicant has proposed a site layout that accommodates the unique shape of the site's natural resources. The proposed density on the site is within the density allowed in a PUD by the City's Comprehensive Plan.

(c) Public facilities are of adequate size and quality to serve the proposed use; and

The sanitary pump station constructed in The Reserve PUD to the north of the subject site was sized to accommodate the needs of future development, including the current proposed development. Water service is available adjacent to the subject site. The proposed storm system will be a combination of storm pipes and low impact development practices, including detention facilities, as proposed by the applicant. All of the services and utilities are of adequate size and quality to serve the proposed 355-lot PUD

(d) The proposed use will prove, or can be made to be through imposing conditions, reasonably compatible with surrounding properties.

The proposed PUD includes a Master Plan Map that proposes zoning that is reasonably compatible with surrounding properties, as required by the Junction City Comprehensive Plan.

D. This approval shall become final on the date this decision and supporting findings of fact are signed by the Chairperson of the Junction City Planning Commission. An appeal of the Planning Commission's decision must be submitted to the City Council within 12 days of this Final Order being mailed to all opponents. Appeals may be made by filing written notice with the city and paying the fee equal to the average cost as prescribed by the City Council and cost of the written transcripts up to $500, plus one-half the cost over $500. If no appeal is taken within the 12-day period, the decision of the Planning Commission shall be final. An appeal of the City Council's decision must be submitted to the Land Use Board of Appeals within 21 days of the Council's decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Signature: _____

Jason Thiesfeld, Chairperson of the Junction City Planning Commission

Approval Date: _____

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