

JUNCTION CITY PLANNING COMMISSION

AGENDA ITEM SUMMARY



Zoning Text Amendment

Meeting Date: January 20th, 2014
Department: Planning
www.junctioncityoregon.gov

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

ISSUE STATEMENT

The Junction City Council has proposed zone text amendments to the Junction City Municipal Code (JCMC), Title 17, Chapters 17.30 and 17.45. The proposed text amendments would permit Brew Pub, Public House, Micro Brewery, Winery, Cider House, Tasting Room or similar uses in the Central Commercial (C2) zoning district as an Outright Permitted Use, and would strike the term “fermentation” from JCMC Section 17.45.010(0) – “Processing, packaging or storage of food or beverages, but not including processes involving distillation, fermentation, slaughtering or rendering of fats and oils.”

BACKGROUND

Recent inquiries from the community have brought attention to the prohibitive nature of the JCMC in regard to specific commercial uses. Interests in brewery related facilities in particular have been expressed to members of City Council, Planning Commission and City Staff. Council directed Staff to present the inquiries to the Planning Commission at a future standing meeting.

Planning Commission held a discussion on the topic at the November 18th, 2014 standing meeting where interested members of the community provided testimony in support of a Code Text Amendment allowing brewery related facilities and commercial “Tasting Room” or “Public House” establishments. The support for such uses was presented as an assumed growing demand in the area and the potential economic development opportunities that may arise as a result.

The consensus among the Planning Commission at the November meeting was to draft potential changes to the JCMC and return to the next available Planning Commission standing meeting with the proposed amendments.

COMMITTEE REVIEW AND/OR RECOMMENDATION

None

RELATED CITY POLICIES

17.145.010 Authorization to initiate amendments. An amendment to the text of this title or the zoning map may be initiated by the city council, by the planning commission or by application of a property owner or his authorized agent. The planning commission shall, within 40 days after a hearing, recommend to the city council approval, denial, or modification of the proposed amendment. An amendment to the text or the zoning map may be consolidated with a related amendment to the comprehensive plan text or map. [Ord. [1170](#) § 6, 2007; Ord. [950](#) § 107, 1991.]

CITY ADMINISTRATOR'S COMMENT

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

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The Commission may:

- a. Recommend approval of the Zoning text Amendment based on the proposed findings.
- b. Recommend modification of the Zoning text Amendment based on changes to the proposed findings.
- c. Deny the request for a Zoning text Amendment with findings to support the denial.
- d. Continue the public hearing to a date certain if more information is needed.

SUGGESTED MOTION

I make a motion to (recommend approval/conditional approval/deny/continue) of the proposed zoning text amendment initiated by the City Council, file # AMD-14-02 based the findings as stated in the Final Order.

ATTACHMENTS

Staff Report

- I. Proposed Text Amendments to JCMC Chapters 17.30 (Central Commercial), 17.45 (Light Industrial).
- II. Public Hearing Notice
- III. Proposed Planning Commission Final Order (AMD-14-02) City - Brew Pubs

FOR MORE INFORMATION

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**JUNCTION CITY PLANNING COMMISSION
STAFF REPORT
ZONING TEXT AMENDMENT FILE # AMD-14-02**

Planning Commission Initiated	November 18, 2014
Notice Published in Newspaper:	January 6, 2015
Notice Posted at City Hall:	January 12, 2015
Staff Report Date:	January 6, 2014
Planning Commission:	January 20, 2014
Applicant:	City of Junction
Property Owner:	Not Applicable
Locations:	Within zones C2 (Central Commercial) and M1 (Light Industrial)

REQUEST

The Junction City Council has proposed zone text amendments to the Junction City Municipal Code, Title 17, Chapters 17.30 and 17.45. The proposed text amendments would permit Brew Pub, Public House, Micro Brewery, Winery, Cider House, Tasting Room or similar uses in the Central Commercial (C2) zoning district as an Outright Permitted Use, and would strike the term “fermentation” from JCMC Section 17.45.010(0) – “Processing, packaging or storage of food or beverages, but not including processes involving distillation, fermentation, slaughtering or rendering of fats and oils.”

BACKGROUND

At the October 28, 2014 City Council meeting, Councilor Hitchcock inquired about the lack of regulation relating to brewery type facilities within the Junction City Municipal Code, in response to the interest from the public. Council consensus was to forward the issue to the Planning Commission for review. At the November 18, 2014 Planning Commission standing meeting, Commissioners discussed the option of including relevant language within Central Commercial zoning district language, as well as removing prohibitive language from the Light Industrial zoning district standards. The Planning Commission unanimously agreed to initiate the process to amend the Junction City Municipal Code based on Chapter 17.145 requirements. Below is language proposed to be added to the list of Uses Permitted Outright under Section 17.30.010,0 with proposed revisions included in Attachment I.

17.30.010 Uses permitted outright.

A. In a C2 zone, only the following uses and their accessory uses are permitted outright:

71. Brew Pub, Public House, Micro Brewery, Winery, Cider House, Tasting Room or similar use.

Below is language proposed to be stricken from the list of Uses Permitted Outright under Section 17.45.010. Section 17.45.010 with proposed revision is also included in Attachment I.

17.45.010 Uses permitted outright.

In an M1 zone, only the following uses and their accessory uses are permitted outright:

O. Processing, packaging or storage of food or beverages, but not including processes involving distillation, ~~fermentation~~, slaughtering or rendering of fats and oils.

Currently, brewery related facilities and uses are not permitted as an Outright or Conditional Use in any zoning district within Junction City limits.

AUTHORIZATION TO INITIATE AMENDMENTS

17.145.010 Authorization to initiate amendments. An amendment to the text of this title or the zoning map may be initiated by the city council, by the planning commission or by application of a property owner or his authorized agent. The planning commission shall, within 40 days after a hearing, recommend to the city council approval, denial, or modification of the proposed amendment. An amendment to the text or the zoning map may be consolidated with a related amendment to the comprehensive plan text or map. [Ord. [1170](#) § 6, 2007; Ord. [950](#) § 107, 1991.]

APPROVAL CRITERIA

Amendments to the Zoning Code, Title 17 of the Junction City Municipal Code must comply with Chapter 17.145, Amendments and Oregon’s Statewide Planning Goals. Section 17.145.010 of the Junction City Municipal Code allows property owner to initiate an amendment to the text of the Zoning Code.

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The Commission may:

- a. Recommend conditional approval of the Zone Text Amendments based on the proposed findings.
- b. Recommend modification of the Zone Text Amendments based on changes to the proposed findings.
- c. Deny the request for a Zone Text Amendments with findings to support the denial.
- d. Continue the public hearing to a date certain if more information is needed.

ATTACHMENTS

- I. Proposed Text Amendments to JCMC Chapters 17.30 (C2), and Light Industrial (M1)
- II. Public Hearing Notice
- III. Proposed Final Order (AMD-14-02) City – Brew Pubs

Chapter 17.45
LIGHT INDUSTRIAL ZONE (M1)

Sections:

- [17.45.010](#) Uses permitted outright.
- [17.45.020](#) Conditional uses permitted.
- [17.45.030](#) Limitations on use.
- [17.45.040](#) Lot size.
- [17.45.050](#) Setback requirements.
- [17.45.060](#) Height of buildings.

17.45.010 Uses permitted outright.

In an M1 zone, only the following uses and their accessory uses are permitted outright:

- A. Cabinet, carpenter or woodworking shop.
- B. Compounding, packaging or storage of cosmetics, drugs, perfumes, pharmaceutical, soap or toiletries, but not including processes involving refining or rendering of fats and oils.
- C. Dwelling for caretaker or night watchman on the property.
- D. Freight depot.
- E. Ice or cold storage plant.
- F. Laboratory for research or testing, but not including the testing of combustion engines.
- G. Laundry, dry cleaning or dyeing establishment.
- H. Lumber yard, building supply outlet.
- I. Machinery or equipment sales, services or storage.
- J. Manufacture, repair or storage of articles from the following previously prepared materials: bone, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semi-precious stone or metal, shell, textiles, wax, wire or yarn.
- K. Manufacture, repair or storage of ceramic products, musical instruments, novelties, rubber or metal stamps, toys, optical goods, engineering, scientific or precision instrument, medical or dental supplies or equipment, electronic supplies or equipment, industrial or business machines, aircraft parts and equipment, luggage, photographic equipment or small pleasure boats.

- L. Motor home manufacturing.
- M. Motor vehicle body shop, tire shop or similar repair service.
- N. Plumbing, heating, electrical or paint contractor's sales, repairs or storage.
- O. Processing, packaging or storage of food or beverages, but not including processes involving distillation, ~~fermentation~~ slaughtering or rendering of fats and oils.
- P. Railroad tracks and related facilities.
- Q. Utility lines, station or substation, not including wireless telecommunications facilities.
- R. Veterinary clinic or hospital.
- S. Welding, sheet metal or machine shop.
- T. Wholesale distribution or outlet, including trucking, warehousing and storage.
- U. Recreational vehicle (RV) sales and service that is conducted in conjunction with the manufacture of recreational vehicles on the same lot. [Ord. [1105](#) § 1, 2002; Ord. [1037](#) § 1, 1997; Ord. [1024](#) § 1, 1996; Ord. [984](#) § 2, 1994; Ord. [950](#) § 51, 1991.]

Comment [tja1]: Proposed to be removed

17.45.020 Conditional uses permitted.

In an M1 zone, the following uses and their accessory uses are permitted, when authorized in accordance with the requirements of Chapter [17.130](#) JCMC:

- A. Fuel oil distribution.
- B. Planned unit development. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 52, 1991.]

17.45.030 Limitations on use.

In an M1 zone, the following conditions and limitations shall apply:

- A. A use which creates a nuisance because of the noise, smoke, odor, dust or gas is prohibited.
- B. Materials shall be stored and grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or otherwise create a health hazard.
- C. Storage of junk on property abutting or facing a residential zone or a public street shall be wholly within an enclosed building or screened from view by a permanently maintained, sight-obscuring fence at least six feet high.
- D. Points of access from a public street to properties in an M1 zone shall be so located as to minimize traffic congestion and avoid directing traffic into residential streets.
- E. Building entrances or other openings adjacent to or across the street from a residential zone shall be prohibited if they cause glare, excessive noise or otherwise

adversely affect land uses in the residential zone. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 53, 1991.]

17.45.040 Lot size.

In an M1 zone, no minimum lot size shall be identified other than to meet the requirements of this chapter. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 54, 1991.]

17.45.050 Setback requirements.

Except as provided in JCMC [17.95.060](#), in an M1 zone no yard shall be required, except, when abutting a residential zone, setbacks shall be a minimum of 50 feet measured from the property line to the foundation of the building with a maximum projection of one foot into any setback area. If a living, solid screen is provided adjacent to the residential zone, the minimum setback may be reduced to 25 feet. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 55, 1991.]

17.45.060 Height of buildings.

In an M1 zone, within 150 feet of a residential zone, no building shall exceed a height of 35 feet. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 56, 1991.]

Chapter 17.30
CENTRAL COMMERCIAL ZONE (C2)

Sections:

- [17.30.010](#) Uses permitted outright.
- [17.30.020](#) Development review.
- [17.30.030](#) Conditional uses permitted.
- [17.30.040](#) Lot requirements.
- [17.30.050](#) Setback requirements and yard regulations.
- [17.30.060](#) Height of buildings.
- [17.30.070](#) Limitations on use.
- [17.30.080](#) Design standards.
- [17.30.090](#) Utilities.

17.30.010 Uses permitted outright.

A. In a C2 zone, only the following uses and their accessory uses are permitted outright:

1. Automobile, boat or trailer sales.
2. Bakery.
3. Bank, loan company or similar financial institution.
4. Barber shop.
5. Beauty shop.
6. Bicycle shop.
7. Blueprinting, photostating or other reproduction.
8. Book or stationery store or newsstand.
9. Bookbindery.
10. Building supply with no outside storage.
11. Bus station.
12. Business machines, retail and service.
13. Catering establishment.

14. Church.
15. Clinic, except animal clinic.
16. Clothes cleaning or laundry agency.
17. Clothing store or tailor shop.
18. Club, lodge, union or fraternal organization.
19. Cocktail lounge or tavern.
20. Confectionery store, including soda fountain.
21. Curtain or drapery store.
22. Day care facility.
23. Dancing school or music studio.
24. Delicatessen.
25. Drug store, pharmacy.
26. Dry cleaning, or pressing, except those using highly volatile or combustible materials or using high pressure steam tanks or boilers.
27. Dry goods, millinery or dress shop.
28. Electrical supply store.
29. Feed and seed store.
30. Florist shop.
31. Floor covering sales and service.
32. Food store.
33. Frozen food lockers, retail only.
34. Furniture store.
35. Garden store.
36. Gift, hobby or art shop.
37. Grocery store.
38. Hardware store.
39. Health studio, physical therapist, reducing salon.
40. Hotel.
41. Jewelry store, including repairing.

42. Leather goods sales, including harness and saddle shop.
43. Locksmith.
44. Magazine or newspaper distribution agency.
45. Meat market, retail.
46. Newspaper publishing.
47. Notions or variety store.
48. Office, business or professional.
49. Office supplies.
50. Paint store, including related contractor shop.
51. Parking lot or garage.
52. Pawn shop.
53. Pet shop.
54. Printing plant.
55. Radio or television sales and service.
56. Residential uses, second story or multiple family.
57. Restaurant or hotel supply.
58. Restaurant or tearoom.
59. Retail store.
60. Scientific or professional instrument sale or repair.
61. Secondhand store.
62. Self-service laundry.
63. Shoe store or shoe repair shop.
64. Storage building for household goods in conjunction with retail sales.
65. Studio: art, music and photography.
66. Telephone or telegraph building.
67. Theater, except drive-in theater.
68. Upholstery shop, but excluding operations in mattress and upholstery refinishing where cyanide or other highly toxic material is used.
69. Wholesale office or show room with merchandise on the premises limited to small items and samples.

70. Museum, private or public

71. Brew Pub, Public House, Micro Brewery, Winery, Cider House, Tasting Room or similar use.

[Ord. [1037](#) § 1, 1997; Ord. [982](#) § 1, 1994; Ord. [950](#) § 34, 1991.]

17.30.020 Development review.

In the C2 zone, development review by the city administrator or designee shall be required to ensure compliance with JCMC [17.30.080](#).

A. 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.

B. 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.

C. 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 that are proposed to remain on the site.
5. The location and dimensions of all existing and proposed structures, utilities, street lighting, 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, including parking area landscaping if applicable.

Comment [jc2]: Proposed Language to be included.

7. Location and dimensions of all proposed public and private streets, drives, rights-of-way, alleys 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 vehicular and bicycle parking areas if applicable.
9. Architectural drawings.
 - a. Building elevations which illustrate building orientation and building form design features including but not limited to building facade(s), entrance(s), windows, roof decoration, awnings and overhangs, building materials and paint colors.
 - b. Building plans that illustrate proposed amenities.
 - c. Signage, if applicable.
 - d. The name, address and phone number of the architect. [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 34A, 1991.]

17.30.030 Conditional uses permitted.

In a C2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter [17.130](#) JCMC:

- A. Auditorium, exhibition hall or other public assembly room.
- B. Automobile service station including minor automobile repairs but excluding body and fender work, or painting.
- C. Drive-in establishment offering goods or services to customers waiting in parked motor vehicles, except drive-in theater.
- D. Motel.
- E. Planned unit development.
- F. Microwave receiver or transmission tower. [Ord. [950](#) § 35, 1991.]

17.30.040 Lot requirements.

None. Except where precluded to comply with other sections of this title, 100 percent lot coverage is permitted. [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 36, 1991.]

17.30.050 Setback requirements and yard regulations.

All yard regulations are subject to compliance with vision clearance standards. The planning commission shall consider setback exceptions for installation of publicly oriented features such as a landscaped courtyard or sculpture display. Drought-tolerant, low-water-requiring or native landscaping materials are strongly encouraged.

A. **Front Yard Setbacks.** A new building shall establish a front yard setback of zero to five feet. To maintain street-front continuity, the following exception to the yard requirements is authorized: if there are buildings on both abutting lots with yards of more than the required depth for the zone, the yard of the lot may equal but not exceed the average yard of the abutting buildings. If there is a building on one abutting lot with a yard of more than the required depth for the zone, the yard for the lot may equal but not exceed a depth halfway between the depth of the abutting yard and the required yard depth.

B. **Side Yard Setbacks.** A side yard facing a street shall have a setback of zero to five feet. The setback for a side yard not facing a street and for a rear yard shall be a minimum of zero feet, with no maximum.

C. **Rear Yard Setbacks.** The setback for a rear yard shall be a minimum of zero feet, with no maximum.

D. **Allowed Extensions into the Public Right-of-Way.** Eaves, second story bay windows, cornices, canopies, pergolas, and similar architectural features may encroach into a setback by no more than five feet, subject to compliance with applicable standards of the Uniform Building Code and Uniform Fire Code. [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 37, 1991.]

17.30.060 Height of buildings.

In a C2 zone within 100 feet of a residential zone, no building shall exceed three stories or 35 feet in height. A building on a corner lot is encouraged to be at least two stories in height. Multistory buildings with residential uses on the upper floor or floors are encouraged in the C2 zone. [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 38, 1991.]

17.30.070 Limitations on use.

In a C2 zone, the following conditions and limitations shall apply:

A. All business, service, repair, processing, storage or merchandise display shall be conducted wholly within an enclosed building, except for off-street parking and loading, drive-in windows, island service for motor vehicles and display of merchandise along the outside wall of the building not extending more than three feet from the wall once per calendar quarter, unless conducted as part of a special event and authorized by the city council.

B. All items produced or wares and merchandise handled shall be sold at retail on the premises except in the case of JCMC [17.30.010\(A\)\(69\)](#).

C. Existing residential dwellings and their accessory uses may be maintained, expanded, constructed or reconstructed in conformance with the development standards as established in the R3 zone.

D. Ground floor spaces shall be used for commercial and retail uses. Upper floors of a building shall be used for commercial or residential uses. [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 39, 1991.]

17.30.080 Design standards.

A. In the C2 zone, the following design standards shall apply. Applicants proposing construction or major exterior renovation of structures in the C2 zone will be required to comply with the following standards and shall be subject to site review as part of the development application process.

B. For purposes of this chapter, a “major exterior renovation” shall be defined as follows: where the building shell undergoes any structural repair, reconstruction or improvement and the cost of the repair or renovation equals or exceeds 35 percent of the assessed value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. This includes:

1. Changes to the facade of a building;
2. Increases or decreases in floor area that result in changes to the exterior of a building;
3. Changes to exterior improvements.

Major exterior renovation does not include normal maintenance and repair or total demolition, nor does it include improvement of a structure to comply with existing state or local health, sanitary or safety code specifications, or any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places. Assessed value is the value shown on the applicable county assessment and taxation records for the current year.

C. A variance to this requirement may be requested in the event of a casualty (fire, flood, etc.) in which the portion of the building exterior visible from the primary street has not been affected. An applicant seeking a variance to this requirement must provide a description of the casualty and an explanation of why the applicant cannot comply with the standard.

D. For a major exterior renovation, the applicant shall submit a development schedule indicating the approximate dates when construction of the planned amenities and design elements are expected to be initiated and completed. All improvements required

under this section shall be completed within three years of the date of approval of the proposed major exterior renovation.

1. Building Architecture. All new buildings and major exterior renovations shall provide architectural relief and interest to promote and enhance a comfortable pedestrian scale orientation. The use of building materials that require less maintenance and are longer lasting is encouraged.

a. Facades. Architectural emphasis shall be placed on the facade facing a public street, especially at the building entrance and along sidewalks. Blank walls shall be avoided unless structurally necessary. Any blank wall clearly visible from a public street shall include a combination of architectural elements and features such as offsets, entry treatments, varied materials and colors, division into bays, decorative murals, etc. A decorative mural should reflect the local human and natural history, and should not be used for advertising purposes.

b. Entrances. The primary entrance to a building, including on a corner lot, shall be located along the primary street, not the parking lot. For a building on a corner lot of two primary streets, the entrance may be oriented toward the intersection. A variance may be granted by the planning commission if this building orientation is not achievable due to site constraints.

c. Windows. A new building or major exterior renovation shall include large, regularly spaced and similarly shaped windows with trim. Windows shall cover between 50 to 80 percent of the ground floor facade area on the building side that faces the public street and includes the main building entrance. Windows shall begin 18 to 30 inches above the sidewalk. Second-story windows shall continue the vertical and horizontal character of the ground level windows. Transom or clerestory windows are encouraged above the building entrance.

d. Roof Decoration. A building with a flat roof shall include a decorative cornice or decorative moldings at the top. A building with a pitched roof shall include eaves.

e. Awnings and Overhangs. All new or renovated buildings may include overhangs or awnings. Overhangs and awnings extending into the public right-of-way may project to within two feet of the curb line and must be a minimum of eight feet in height over the sidewalk and/or ground surface. The design materials and colors of these features shall complement the architecture of the building. New lighted, plastic, or bubble awnings are not allowed. In the event that a street is widened, an awning or overhang that is not in compliance with this chapter will need to be removed.

f. **Building Materials.** Building materials should be compatible with the surrounding area and can include masonry, tile, stucco, split face (decorative) concrete block, or wood. A building may not be made of unadorned poured or tilt-up concrete or metal siding.

g. **Paint Colors.** Paint colors should be compatible with the surrounding area. No neon or fluorescent-colored paint shall be allowed.

2. **Amenities.** Every new building shall provide one or more of the alternatives listed below for each 4,000 square feet of building. Pedestrian amenities may be provided within a public right-of-way when approved by the planning commission. Amenities should be compatible with adjacent downtown development. The use of landscaping and building materials that require less maintenance and are longer lasting is encouraged.

- a. A plaza, courtyard, or extra-wide sidewalk next to the building entrance;
- b. Planters or hanging baskets;
- c. Sitting space (e.g., dining area or benches);
- d. Public art (e.g., fountain, sculpture, mural, etc.);
- e. Special surfacing such as brick or tile. Surfacing must meet ADA standards.

3. **Street Lighting.** When street lighting is required to be installed under the requirements of this or supporting ordinances or standards, street lighting shall be old-fashioned, ornamental, and compatible with street lighting in the C2 zone and along Ivy Street.

4. **Parking and Access.** The following requirements for parking in the C2 zone should minimize visual impacts on the downtown area. The use of paving and landscaping materials that require less maintenance and are longer lasting are encouraged.

- a. **Parking Area Location.** Off-street parking shall be located to the rear or side of the building. On corner lots, the parking may not be located adjacent to the street corner. Use of a corner lot for parking is discouraged.
- b. **Parking Area Landscaping.** Provided that minimum parking requirements are met, all parking lots shall include landscaping of not less than seven percent of the area devoted to outdoor parking facilities. Drought-tolerant, low-water-requiring or native landscaping materials are strongly encouraged. Said landscaping shall be provided with underground irrigation and protective curbs or raised wood headers.

- i. A parking area located adjacent to a road shall be buffered by a five-foot landscaped strip between the parking lot and road right-of-way and must include at least one deciduous street tree every 30 feet.
- ii. For a corner lot with four or more off-street parking spaces as required under this code, off-street parking adjacent to a public street shall provide a minimum of four square feet of landscaping for each lineal foot of street frontage along that street. Such landscaping shall consist of landscaped berms or shrubbery at least two feet in height, which shall be parallel to and adjacent to the street frontage as much as practical. Additionally, one tree, which will provide a canopy of at least 300 square feet upon maturity, shall be provided for each 50 lineal feet (or fraction thereof) of street frontage along that street.

If minimum parking requirements cannot be met, the highest percentage possible of landscaping shall be required, subject to planning commission approval.

c. **Bicycle Parking.** Bicycle parking shall be in accordance with the Junction City transportation system plan. If the bicycle parking requirement cannot be met due to site constraints, the bicycle parking may be located elsewhere in the C2 zone in a location to be determined by the planning commission.

d. **Alley Paving.** In conjunction with a building permit or with a change in use that will take access paved off-street parking from the alley, the developer shall pave the entire alley. This requirement may be waived by the planning commission if adjacent to residential development. Subsequent development or change of use will be subject to a latecomer's fee per Chapter [13.45](#) JCMC to reimburse the development cost for the portion of the alley not adjacent to the original development. [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 39A, 1991.]

17.30.090 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 is not practicable, equipment shall be screened from view from adjacent streets, sidewalks, and abutting residentially zoned properties with an evergreen hedge or solid fence or wall at least four feet in height and must be sited to comply with the vision clearance standards in JCMC [17.95.090](#). [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 39B, 1991.]

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

The Junction City Planning Commission will hold a public hearing on **Tuesday, January 20, 2015 at 6:30 pm, at City Hall, 680 Greenwood Street** to take testimony on the following land use application.

NATURE OF APPLICATION	Zoning Code Text Amendment
APPLICABLE CRITERIA	Junction City Municipal Code Chapter 17.30, Central Commercial & 17.45, Light Industrial
APPLICANT	City of Junction City
FILE NUMBER	AMD-14-02
PROPOSAL	Proposed amendment to the Junction City Municipal Code, Section 17.45.010 to remove prohibition of fermentation, and; add brew pubs and similar uses to Section 17.30.010.
STAFF CONTACT	City Planner Jordan Cogburn, jcplanning@ci.junction-city.or.us or 541.998.2153 Ext. 306

The purpose of this notice is to provide an opportunity to comment and express concerns you may have related to the approval criteria, prior to the Planning Commission's decision to recommend to City Council approval or denial of the proposal. Citizens may present testimony for or against the requested zoning code text amendment by submitting written comments or by giving oral testimony at a public hearing on **Tuesday, January 20, 2015 at 6:30 p.m.**

If you would like your written comments to be included in the staff report, they must be submitted to City Hall by **5:00 p.m. on Friday, January 9, 2015**. Written comments may be submitted:

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

The Planning Commission will review the request for compliance with applicable criteria based upon information in the staff report and comments received and make a recommendation to the City Council. Approval of the proposed zoning code text amendment must include affirmative findings that are consistent with the Zoning Code and provisions of the Comprehensive Plan.

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

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

Proposed Amendments

17.45.010 Uses permitted outright.

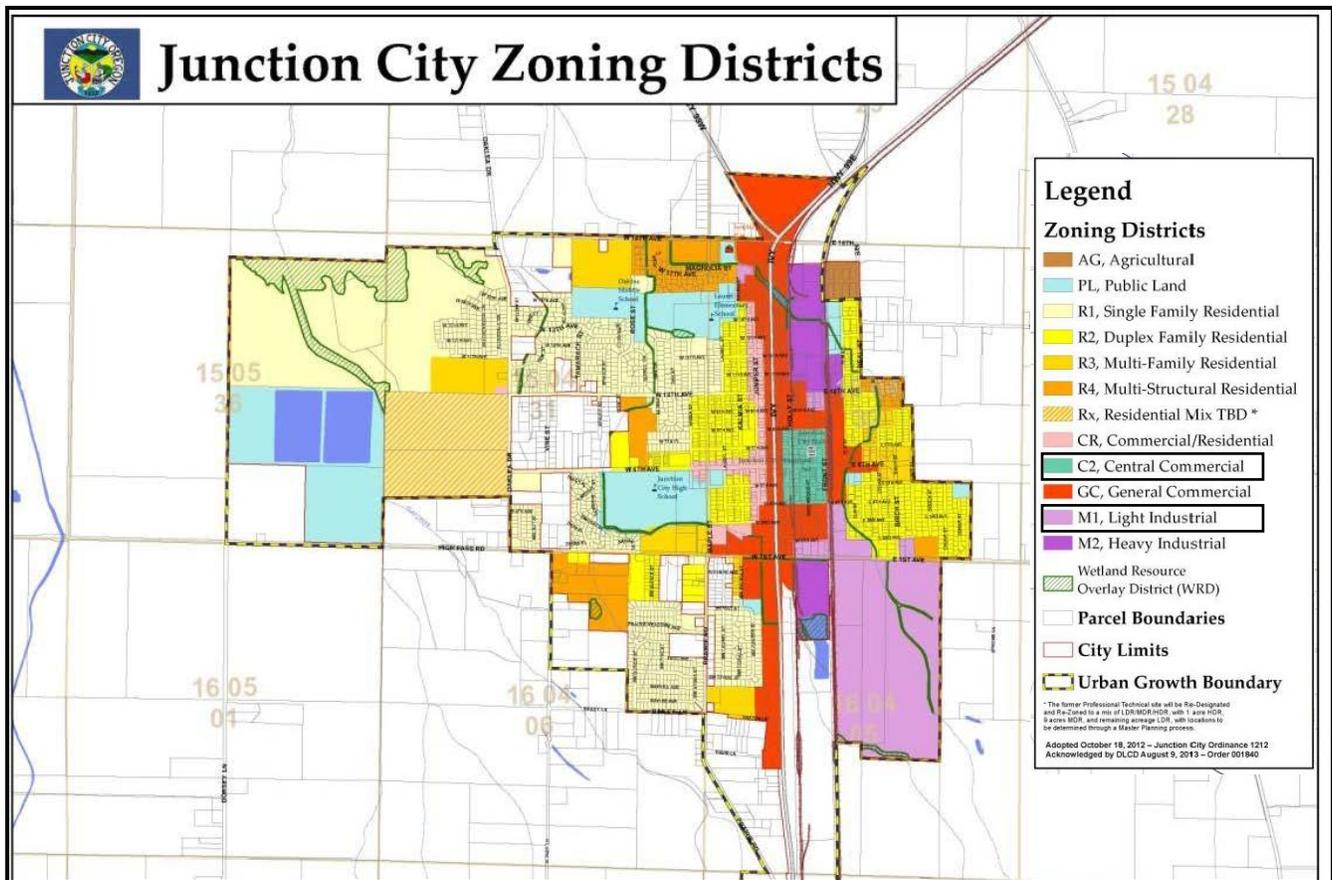
In an M1 zone, only the following uses and their accessory uses are permitted outright:

- O. Processing, packaging or storage of food or beverages, but not including processes involving distillation, ~~fermentation~~, slaughtering or rendering of fats and oils.

17.30.010 Uses permitted outright.

A. In a C2 zone, only the following uses and their accessory uses are permitted outright:

- 71. Brew Pub, Public House, Micro Brewery, Winery, Cidar House, Tasting Room or similar uses.



**PROPOSED FINAL ORDER OF THE PLANNING COMMISSION
AMENDMENTS TO JUNCTION CITY MUNICIPAL CODE
(AMD-14-01)**

1. The Junction City Planning Commission met on January 20, 2015 and recommended the proposed amendments to the City Council for adoption. The amendments include revisions to JCMC Chapter 17.030.010 in order to permit Brew Pub, Public House, Micro Brewery, Winery, Cider House, Tasting Room or similar uses in the Central Commercial (C2) zoning district as an Outright Permitted Use, and to strike the term “fermentation” from JCMC Section 17.45.010(0) – “Processing, packaging or storage of food or beverages, but not including processes involving distillation, fermentation, slaughtering or rendering of fats and oils. The proposed language is included in Exhibit A.
2. A public hearing was conducted on January 20, 2015 before the Junction City Planning Commission in accordance with procedures established in JCMC 17.150.070.4.D for proposed amendments to the Junction City development code.
3. JCMC 17.150.070.4.D sets forth procedure and notice requirements for amendments to the zoning ordinance, as follows:

“A minimum of two hearings, one before the planning commission and one before the city council, are required for all Type IV applications, except for withdrawals of property from special districts prior to annexations where only a review by the council is required. Procedures for these hearings are set forth in JCMC [17.150.090](#). Notice of the decision shall be sent to the applicant and any other person who submitted comments on the application during the time allotted for such submissions.”

The Planning Commission held a public hearing on January 20, 2015. A City Council public hearing will be held once the Planning Commission makes a recommendation on the proposed amendments.

5. JCMC 17.150.080.C.2 reads, “If particular properties are to be affected more than, or in a manner significantly different from, other properties of the same general character within the City of Junction City, individual notice shall be prepared and mailed to those affected, including all persons within 300 feet of the affected property.”

Notice of the meeting was published in the Register Guard on January 6, 2015, a minimum of 10 days prior to the hearing.

A record of proposed amendments was made available on the City’s website January 12, 2015, as well as at City Hall.

6. The proposed amendments are in conformance with the Zoning Ordinance and with the Comprehensive Plan. The proposed amendment is in conformance with the Zoning Ordinance and with the Comprehensive Plan. The proposed amendment is consistent with the statewide planning Goals.

1. Goal 1 - Citizen Involvement

OAR 660-015-0000(1) develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process

FINDING: Junction City will follow the prescribed procedures for public hearings before the Planning Commission and City Council as required by Title 17, Zoning of the Junction City Municipal Code.

2. Goal 2 – Land Use Planning

OAR 660-015-0000(2) (PART I – 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.

FINDING: The Junction Comprehensive Plan currently serves as the controlling land use document for the City. The proposed amendments provide addition of a Use Permitted Outright the Central Commercial Zoning District (C2) and a revision to strike language from a Use Permitted Outright the Light Industrial Zoning District (M1). The Comprehensive Plan policies provide the overarching framework for implementation of the Zoning Code and the process noted above.

SUMMARY AND CONCLUSION

For all the reasons set forth above, the proposed amendments comply with the Junction City Comprehensive Plan and other Junction City Municipal Codes.

DECISION

IT IS HEREBY ORDERED that the Junction City Planning Commission recommends that the City Council approve the proposed amendments to the Junction City Municipal Code, based on the findings stated in this report.

Signature:

Jason Thiesfeld, Chairperson
Junction City Planning Commission

Approval Date:
