

**JUNCTION CITY PLANNING  
THABET PRELIMINARY SUBDIVISION (SUB-13-02)  
Type II Procedure – Limited Land Use Decision**

Application Date: October 24, 2013  
 Date Complete: December 5, 2013  
 Notice (300 ft.): November 27, 2013  
 Staff Report Date: December 10, 2013  
 Planning Commission: December 17, 2013  
 Staff Contact: Nicole Peterson, Contract Planner

Referrals: Junction City, City Administrator  
 Junction City Public Works Director  
 Junction City Police Department  
 Junction City Building Official  
 Junction City Rural Fire District  
 Junction City Building Official  
 Lane County Surveyors

Applicant: Richard Skinner, All Oregon Land Surveying  
 Property Owner: Thabet-Junction City Apts. LLC  
 Assessors Map and Lot: Assessor’s Map: 15-04-32-42 Tax Lots 3400, 3500, 3600  
 Zoning: Multi-Family Residential Zone (R3)  
 Plan Designation: High Density Residential  
 Property Area: Approximately 44,311 square feet (1.02 acres)<sup>1</sup>

**REQUEST**

The applicant is requesting approval of Thabet preliminary subdivision. Three existing tax lots make up the subject site. The site is developed with four existing 4-plex buildings, parking and landscaping. The owner and applicant wish to subdivide the property into 4 lots with one existing building on each proposed lot. The subject property is within Junction City municipal boundary and within the Urban Growth Boundary (UGB). Existing access to the site is off of Cedar Street, 5<sup>th</sup> Avenue, and Birch Street. No new construction or development is proposed in association with this subdivision application. The site is located northeast of the intersection of Cedar Street and 5<sup>th</sup> Avenue (See Figure 1 below).

The subject site nearly inhabits the entire City block except for an existing residence on the northwest corner. A portion of the City block on the northeast edge belongs to the City. The northeast corner property line is curved to follow a historic right-of-way. Even though the right-of-way exists, the street does not follow the curved line. The intersection of Birch and 6<sup>th</sup> is built to a 90 degree angle and the historic right-of-way is landscaped as part of the subject site. There is future opportunity for the City to deed the corner triangle piece of property to the subject site property owner. Staff is reviewing the possibilities and issues with the transfer or land for future consideration.

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<sup>1</sup> Application submittal. Preliminary Plat (Sum of lot sizes).  
 Thabet Subdivision SUB 13-02



Figure 1. Aerial Photograph of Site (2013).

The subject property is zoned Multi-Family Residential Zone (R3) (See Figure 2).



Figure 2. Zoning Map.

**Surrounding Zoning:**

North: Multi-Family Residential Zone (R3)

East: Multi-Family Residential Zone (R3)

South: Duplex Residential Zone (R2)

West: Duplex Residential Zone (R2) and General Commercial Zone (GC)

The subject property plan designation is High Density Residential (H) described in the Comprehensive Plan as: Detached, attached, or stacked residential uses at a typical density of 12 or more dwelling units per acre. (See Figure 3).

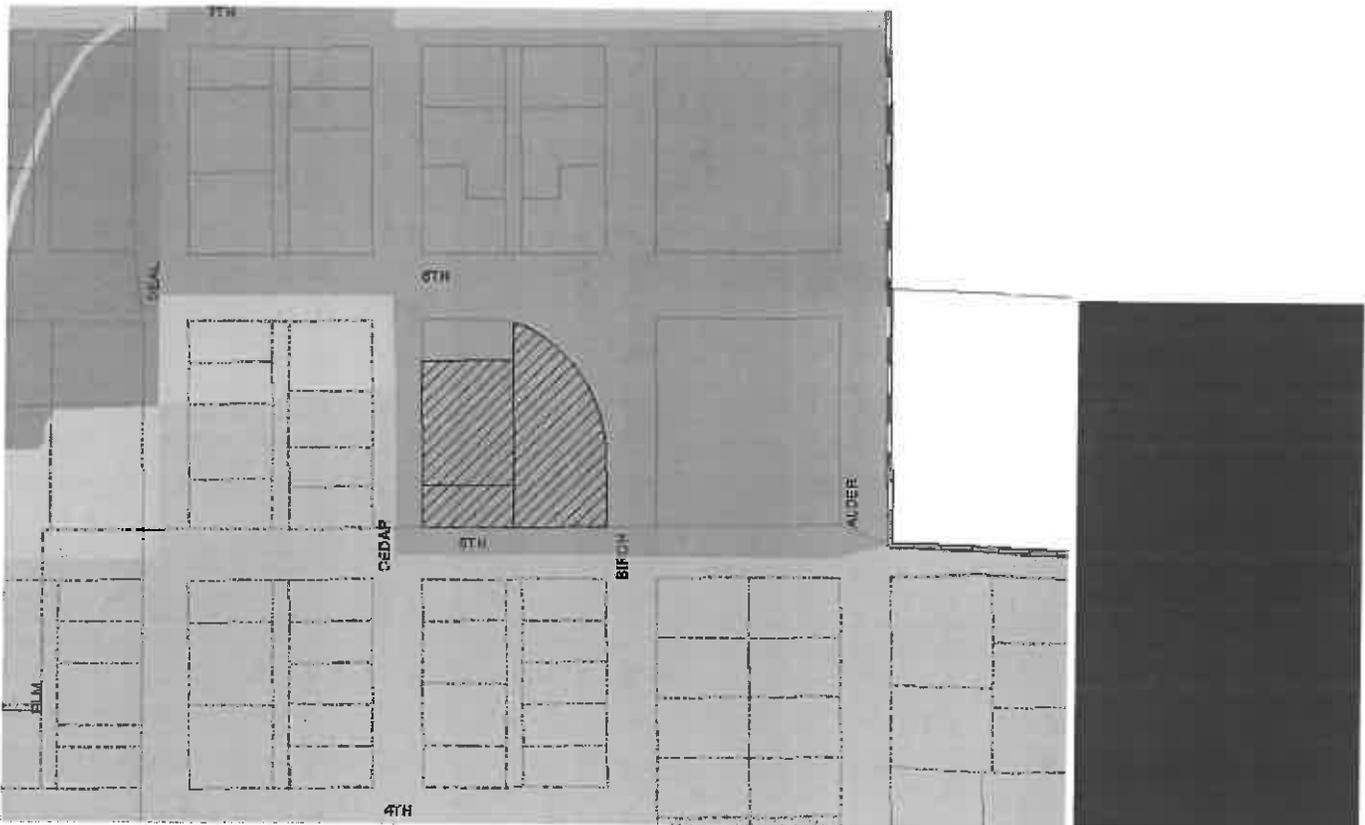


Figure 3. Plan Designation Map.

**Surrounding Plan Designations:**

North: High Density Residential (H) (12 or more dwelling units per acre)

East: High Density Residential (H) (12 or more dwelling units per acre)

South: Medium Density Residential (M) (8-12 dwelling units per acre)

West: Medium Density Residential (M) (8-12 dwelling units per acre) and High Density Residential (H)

The surrounding properties are developed with the following uses:

North: There is an existing residence on the abutting property to the northwest. The property adjoins 6<sup>th</sup> Avenue on the north side.

East: The property adjoins Birch Street to the east.

South: The property adjoins 5<sup>th</sup> Avenue to the south.

West: The property adjoins Cedar Street to the west.

## LIST OF ATTACHMENTS

### Attachment 1: Preliminary Plat

## BACKGROUND

The subject site consists of three parcels of land that are owned by Thabet-Junction City Apts LLC (Assessor's Map: 15-04-32-42 Tax Lots 3400, 3500, 3600). The approximate sizes of each parcel are as follows: Tax lot 15-04-32-42-3400 = 0.46 acre / 20,038 sq. ft., Tax lot 15-04-32-42-3500 = 0.13 acre / 5,663 sq. ft., Tax lot 15-04-32-42-3600 = 0.38 acre / 16,553 sq. ft (Approximate total site = 42,254).<sup>2</sup> The existing property lines do not delineate the buildings or correspond to the building layout. Some property lines extend over the existing buildings and this is the main reason for the subdivision application.

The subject site is developed with existing structures including four buildings with four apartments in each building for a total of 16 residential units. Existing buildings on the site were constructed in 1971.<sup>3</sup> The property owner would like to be able to sell the buildings separately. Through this subdivision application, the subject site will be divided into four separate lots that outline the existing buildings and where possible delineate the existing parking. The applicant is proposing a blanket access and maintenance easement across the subject site to address the common areas between the buildings such as parking, landscaping, garbage collection areas, laundry areas and sidewalks. Staff is recommending a condition that the common area easement agreement be reviewed and approved by City Staff with the final plat.



*Photos of existing structures and parking*

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<sup>2</sup> Regional Land Information Database (RLID) Boundary Data.

<sup>3</sup> Regional Land Information Database (RLID) Commercial Sales Data.

## **PUBLIC NOTICE AND REFERRALS**

Public notices for the December 17, 2013 Planning Commission hearing were mailed November 27, 2013. As of the date of this report, no public comments have been received. Referrals were sent to the agencies referenced above on October 25, 2013. The City received comments from the following agencies and the applicant submitted revised drawings in response to referral comments. The attachments in this report are the revised drawings and Staff has written this report in response to the revised drawings. Comments were received from the following:

- Lane County Surveyors (Peggy Hunter) November 07, 2013:
  - The surveyor shall submit a paper copy of the final plat for review to the Lane County Surveyor's Office along with processing fee and other submittal requirements as noted in the "Plat Submittal Checklist" on the Lane County Surveyor's website. The final plat must be prepared by a land surveyor registered in the State of Oregon and conform to ORS Chapters 92 and 209.250. *Criterion is met with condition.*
  - The name "Thabet Subdivision" has been reserved for this project. *Criterion is met.*
- JC Building Official (Dave Flemings, Clair Company) November 04, 2013:
  - Please provide a complete Code Analysis for each building to show compliance with OSSC is maintained. Please include at a minimum:
    - Total Building Area
    - Number of Stories
    - Type of Construction
    - Occupancy Group
    - Sprinkler and alarm systems
    - Yard Areas
    - Any Area Increases Taken
  - Please indicate the location of the nearest fire hydrant serving each proposed lot. 2010 OFC Sections 507.1.
  - Each building shall be equipped with address numbers and building identification placed in a position that is plainly legible and visible from the street fronting the property to show compliance with 2010 OFC Section 505. *Criteria is met with condition.*
  - Please indicate in the code analysis, the fire-resistance rating requirements for exterior walls based on fire separation distance per OSSC Table 602. It appears that the south corner of Building D will be closer than 10' to the proposed property line and will require fire rated construction. *Criteria is met with condition.*

## **REFERRAL CONDITIONS**

1. The applicant/surveyor shall submit a paper copy of the final plat for review to the Lane County Surveyor's Office along with processing fee and other submittal requirements as noted in the "Plat Submittal Checklist" on the Lane County Surveyor's website. The final plat must be prepared by a land surveyor registered in the State of Oregon and conform to ORS Chapters 92 and 209.250.
2. Prior to final plat approval, the applicant shall work with the Building Official to obtain a non-buildable easement in order to comply with the fire-resistance rating requirements for exterior walls based on fire separation distance per OSSC Table 602 (Building D will be closer than 10' to the proposed property line and will require fire rated construction).
3. Prior to final plat approval, the applicant shall install, or show proof of, building address numbers and building identification placed in a position that is plainly legible and visible from the street fronting the property to show compliance with 2010 OFC Section 505.

## **CRITERIA AND FINDINGS**

The following FINDINGS demonstrate that the proposed preliminary subdivision, as conditioned will comply with all applicable approval criteria and related standards, as set forth in Junction City Municipal Code (JCMC) Title 16, Subdivisions and JCMC Title 17, Zoning and Land Use regulations. The application approval criteria and related standards are listed below with FINDINGS addressing each standard, conditions of approval, final plan requirements, and informational items are included where appropriate.

### **JCMC Title 16, Subdivisions**

#### *16.05.010 Purpose.*

*The purpose of this chapter is to provide regulations and standards to govern the approval of plats of subdivisions and partitioning of land, to carry out the development pattern and plan of Junction City and to promote the public health, safety and general welfare, lessen congestion in the streets, secure safety from fire, flood, pollution and other dangers, provide adequate light and air, prevent overcrowding of land, and facilitate adequate provision for transportation, water supply, sewerage, drainage, education, recreation and other needs of the people of Junction City and to prescribe procedures to be followed in submitting plans and plats of subdivisions and partitions of land for approval, and to meet conditions established for land use planning, urbanization of vacant lands, and provide housing.*

#### *16.05.020 Definitions.*

*“Subdivide land” means to divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of each year.*

*“Subdivision” means either an act of subdividing land or a tract of land subdivided as defined in this section.*

**FINDING:** According to JCMC 16.05.020, Definitions, the proposal meets the definitions of ‘subdivision’ and ‘subdivide land.’ Therefore, the City has accepted this application for preliminary subdivision. Criterion is met.

#### *16.05.040 Subdivisions and major partitions. 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.

*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.*

**FINDING:** If the proposed Thabet preliminary subdivision is approved by the Planning Commission, that approval is effective for a period of two years. The applicant must submit the Final Plat within two years from the Planning Commission approval. Criterion is met with condition.

**CONDITION:** The applicant must submit the Final Plat within two years of the preliminary subdivision approval in accordance with JCMC 16.05.040.D.2.

*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..*

**FINDING:** This provision gives the Planning Commission the opportunity to require the dedication of streets to the public for the transportation and access needs of the community. The subject site is developed with four existing apartment buildings, parking, and landscaping. The applicant has illustrated an existing vacated 20' alley on the plat and is proposing to maintain it as an easement. There is an existing telephone riser and electric transformer within the vacated 20' alley / easement which makes a dedication of the alley undesirable at this time. No dedication of streets is proposed through this preliminary subdivision application. Criterion is met.

*16.05.050 Platting and mapping standards. A. Streets. 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

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

**FINDING:** This provision sets forth minimum requirements for the construction of streets. No streets are proposed as part of the preliminary subdivision. Criterion is met.

*16.05.050 Platting and mapping standards. A. Streets. 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.*

**FINDING:** This provision gives the Planning Commission the opportunity to require a reserve strip. One definition of a reserve strip is, “A strip of land, smaller than a lot, and retained in private ownership as a means of controlling access to land dedicated or intended to be dedicated to street or other public use.” A reserve strip could be required in a location where the City wishes to reserve land area for future public use such as a street or park.

The Planning Commission may require a reserve strip under JCMC 16.05.050.A.3. if the Planning Commission finds a reserve strip is necessary for any of the following reasons:

- 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.*

Staff reviewed the adopted Junction City Transportation System Plan (TSP, July, 2000) for any street & sidewalk projects near the site. No street or sidewalk projects were found adjacent or near the subject site in the July 2000 TSP. Staff reviewed the Junction City Parks Plan (May, 2010) for future parks projects near the subject property. Future on-street bike routes are proposed on Birch and 6<sup>th</sup> however a reserve strip is not required because the street right-of-way is already controlled by the City (Junction City Trails, Connectivity, and Wayfinding Map). The subject site is developed with four existing apartment buildings, parking, and landscaping. No reserve strips are proposed in this preliminary subdivision application. Criterion is met.

*16.05.050 Platting and mapping standards. A. Streets. 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.*

**FINDING:** This provision sets forth criteria for the design of street intersections and street jogs. No streets, nor street intersections, nor street jogs are proposed within the subdivision. Criterion is met.

*16.05.050 Platting and mapping standards. A. Streets. 5. Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions, in accordance with the purpose of this chapter.*

**FINDING:** This provision sets forth design criteria for street topography. No new streets are proposed within the subdivision. Criterion is met.

*16.05.050 Platting and mapping standards. A. Streets. 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.*

**FINDING:** The Planning Commission may require the extension of streets to adjacent property under JCMC 16.05.050.A.6. Four public streets surround the subject property to create a regular city block. The four surrounding streets include: East 6<sup>th</sup> Avenue, Birch Street, East 5<sup>th</sup> Avenue, and Cedar Street. The subject property nearly covers the entire block of land except for a parcel on the northwest corner of the block. The surrounding streets provide adequate access to and from the subject property and the adjacent property. With the presence of the surrounding City streets, there is no need for the extension of streets through the subject property or to adjacent land. Criterion is met.

*16.05.050 Platting and mapping standards. A. Streets. 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.*

**FINDING:** This provision sets forth design criteria for Cul-de-sacs or dead-end streets. No Cul-de-Sacs or dead-end streets are proposed as part of the proposed subdivision. Criterion is met.

*16.05.050 Platting and mapping standards. A. Streets. 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.*

**FINDING:** This provision sets forth a City street naming convention. No new streets are proposed within the subdivision. Criterion is met.

*16.05.050 Platting and mapping standards. A. Streets. 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.*

*16.05.050 Platting and mapping standards. A. Streets. 10. Access Management. 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.*

**FINDING:** This provision sets forth design criteria for grades, curves, and connectivity of new streets. No new streets are proposed within the subdivision. Criterion is met.

*16.05.050 Platting and mapping standards. 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.*

**FINDING:** This provision allows the Planning Commission to require alley dedication as necessary to provide for the access needs of the subdivision. As stated above, the applicant has illustrated an existing vacated 20' alley on the plat and is proposing to maintain it as an easement. There is an existing telephone riser and electric transformer within the vacated 20' alley / easement which makes a dedication of the alley undesirable at this time. In regard to the future development of the site, the delineation of the 20 foot easement will facilitate the future dedication of an alley. However, no dedication of an alley is proposed through this subdivision application. Criterion is met.

*16.05.050 Platting and mapping standards. 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.*

*16.05.050 Platting and mapping standards. C. Blocks. 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.*

**FINDING:** This provision sets forth design standards for streets, block length, and street connectivity. The subject site is developed with existing buildings, parking and landscaping. No new streets or blocks are proposed with the subdivision. Criterion is met.

*16.05.050 Platting and mapping standards. C. Blocks. 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.*

**FINDING:** Through this provision the Planning Commission may require that the applicant dedicate pedestrian ways for the public convenience and safety. The subject property is surrounded by four established City streets that include existing sidewalks. The existing sidewalks facilitate pedestrian travel to and from the subject site. Criteria is met.

*16.05.050 Platting and mapping standards. C. Blocks. 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.*

**FINDING:** Through this provision the Planning Commission may require the dedication of utility easements for safety and maintenance. The subject property is served sanitary sewer and gas from 6<sup>th</sup> Avenue and served water from Cedar Street. The proposal includes utility easements throughout the site that delineate the existing utility lines. The main lines follow the path of the vacated 20-foot alley that is proposed to remain as an easement. Utility lines branch off of the main lines to each of the four existing buildings. The applicant has proposed branch utility easements that allow access across the proposed property lines for utility maintenance. Criteria is met.

*16.05.050 Platting and mapping standards. 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.*

**FINDING:** This provision requires perimeter fences where rear yards abut an existing or planned street. The subject site is developed with existing apartment buildings, parking and landscaping. No new streets are proposed with the subdivision. The configuration of the existing buildings as compared to the proposed property lot lines does create a rear yard that abuts an existing street. The back side of building 4 faces the intersection of 6<sup>th</sup> and Birch. An existing sight-obscuring fence exists between the building and the intersection in compliance with Section 16.05.050.D. Criterion is met.

*16.05.050 Platting and mapping standards. E. Lots. 1. Size and Frontage.*

*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.

**FINDING:** The above provisions set forth lot requirements for size and frontage of proposed lots. The table below shows the lot requirements set forth in this provision as compared to the zoning district of the subject property and compared to the proposed lot sizes.

Requirement	16.05.050 Platting and mapping standards. E. Lots. 1. Size and Frontage.	R3 (multiple-family dwellings)	Proposed lots
Minimum lot width	60 feet For authorized key and butt lots = 65 feet	50 feet, and 35 feet for cul-de-sac lots.	Lot 1: Along Birch - Curved front yard measured width at intersection of west and south lines to north line = ~100 feet Lot 2: Along 5 <sup>th</sup> = 110.14 feet Lot 3: Along 5 <sup>th</sup> = 110.13 feet Lot 4: Along Cedar = 118.17 feet
Minimum lot area	In accord with the subject property zoning district	For multiple-family dwellings, 7,500 square feet	Lot 1: 10,180 square feet Lot 2: 12,136 square feet Lot 3: 13,950 square feet Lot 4: 8,045 square feet

<b>Minimum lot depth</b>	80 feet Double frontage lots = 120 feet (unless a lesser depth is approved by the planning commission where necessitated by unusual topographic conditions)	Not addressed in the R3 district	Lot 1: Curved front yard measured depth at intersection of west and south lines to east line = ~100 feet Lot 2 = 144.98 feet Lot 3 = 144.98 feet Lot 4 = 110.08 feet
<b>Minimum lot frontage</b>	60 feet Along a curved street = 35 feet	Not addressed in the R3 district	Lot 1: Curved line ~180 feet Lot 2: Along 5th = 110.14 feet Lot 3: Along 5th = 110.13 feet Lot 4: Along Cedar = 118.17 feet

The subject property is within the Multi-Family Residential Zone (R3). As shown in the table above; the proposed lots meet all criteria for lot size set forth in both the R3 zone and this provision (Section 16.05.050). Criterion is met.

*16.05.050 Platting and mapping standards. E. Lots. 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.*

*“Butt lot or parcel” means a lot or parcel the sideline of which abuts the lot or parcel rear line of two or more adjoining lots or parcels.*

*“Key lot or parcel” means a lot or parcel the rear line of which abuts the lot or parcel sideline of two or more adjoining lots or parcels.*

**FINDING:** Under this provision (JCMC 16.05.050.E.2. Key Parcels or Lots and Butt Parcels or Lots) key and butt lots are prohibited unless the Commission finds that such parcels are necessitated by unusual topographic conditions or previous adjacent layout. No Key or Butt parcels or lots are proposed in this subdivision. Criteria is met.

*16.05.050 Platting and mapping standards. E. Lots. 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.*

**FINDING:** The side lines of two of the proposed lots run at right angles to the street upon which the lots face (Lots 3 and 4). The shared property line between Lots 1 and 2 runs at an angle due to the existing conditions including: existing configuration of the buildings and the curved front property line of Lot 1. Due to the existing conditions of the subject property, the strict adherence to this provision is impractical. Therefore, as far as is practicable, the proposal meets this provision. Criterion is met.

*16.05.050 Platting and mapping standards. E. Lots. 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.*

**FINDING:** This provision addresses the suitability of the proposed lots for the intended use of the properties. The subject property is zoned R3 Multi-Family Residential Zone and is developed with four existing multi-family buildings (4 units per building). Allowed uses in the R3 zone are listed below (Section 17.20.010) and generally include: Multiple-family dwellings, townhomes, neighborhood commercial uses, and residential care homes. The proposed lots are suitable (i.e. meet the lot size requirements) for the intended use of the property which is the existing multiple-family dwellings. The proposed lots are literally suited to the existing buildings as they outline the current structures. The proposed lots meet the minimum size requirements and uses allowed in the subdivision and R3 ordinances.

It is difficult to know if the proposed lots are suitable for any future redevelopment of the property. The applicant will address the possibility of future re-development of the proposed lots in the proposed blanket common area easement. Staff is proposing a condition of approval that the applicant submit common area easement agreements with the Final Plat document that address at a minimum (current and possible future re-development of each lot): parking use and maintenance, landscaping use and maintenance, sidewalk use and maintenance, garbage collection, laundry facility (Lot 3) use and maintenance, and access drive use and maintenance.

**CONDITION:** At the time of Final Plat, the applicant shall submit common area easement agreements that address at a minimum the following shared matters (current and possible future re-development of each lot): parking use and maintenance, landscaping use and maintenance, sidewalk use and maintenance, garbage collection, laundry facility (Lot 3) use and maintenance, and access drive use and maintenance.

*16.05.050 Platting and mapping standards. E. Lots. 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.*

**FINDING:** This provision allows the Planning Commission to reconfigure the lot lines, and/or restrict buildings to accommodate future partition or subdivision of large lots (one-half acre or more). No proposed parcel or lot is one-half acre (21,780 square feet) or larger in size which is likely to be partitioned or subdivided in the future. Criterion is met.

Proposed Lot sizes (less than one-half acre):

Lot 1: 10,180 square feet

Lot 2: 12,136 square feet

Lot 3: 13,950 square feet

Lot 4: 8,045 square feet

*16.05.050 Platting and mapping standards. E. Lots. 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, ...*

*“Panhandle lot or parcel” is a lot or parcel that the city has approved with less frontage on a public street than is normally required. The panhandle is an access corridor to lots or parcels located behind lots or parcels with normal or standard required street frontage. Panhandle lots or parcels are sometimes referred to as flag lots or parcels.*

**FINDING:** This provision allows the Planning Commission to approve panhandle Lots in the R1 and R2 zones in established neighborhoods. The subject property is zoned R3. No proposed parcel or lot is a panhandle lot or parcel. Criterion is met.

*16.05.050 Platting and mapping standards. 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 therefore 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.*

**FINDING:** This provision allows the Planning Commission to require adequate stormwater drainage of the area and drainage easements. The subject property is developed with four existing multi-family buildings, parking and landscaping. As part of the application packet, the applicant submitted the direction of existing drainage on the subject property (See sheet 2 of 4 on the preliminary plat). In general the topography of the site is relatively flat and storm water drains away from the existing buildings and towards the surrounding City Streets (6<sup>th</sup> Avenue, Birch Street, 5<sup>th</sup> Avenue, and Cedar Street). All surrounding City Streets are equipped with curb and gutter. No development or changes to the existing storm water drainage are proposed as part of this subdivision application. Criterion is met.

*16.05.050 Platting and mapping standards. 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.*

**FINDING:** No railroads or railroad crossings are adjacent to the subject property. Criterion is met.

*16.05.050 Platting and mapping standards. 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.*

**FINDING:** The subdivider does not own any undeveloped or unplatted tracts of land that are abutting the subject property. Criterion is met.

*16.05.050 Platting and mapping standards. 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.*

**FINDING:** Through this provision the Planning Commission has an opportunity to recommend that dedication of land or a fee in lieu of land dedication is required for recreational purposes. This provision applies to new development or construction. The site is developed and no new development or construction is proposed. Criterion is met.

*16.05.050 Platting and mapping standards. 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.*

**FINDING:** The subject property is developed with four existing buildings, parking, and landscaping. No new development or fill is proposed through this subdivision. Criterion is met.

*16.05.050 Platting and mapping standards. 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.*

**FINDING:** The subject property is developed with four existing buildings, parking, and landscaping. No new development or buildings are proposed through this subdivision. Criterion is met.

*16.05.050 Platting and mapping standards. L. Utility Access. All accesses to utilities are to be brought to finish grade.*

**FINDING:** This provision states that all utilities are to be brought to finish grade. The subject property is developed with four existing buildings, parking, landscaping, and utilities. No new development is proposed through this subdivision. Criterion is met with condition.

**JCMC Title 17, Zoning and Land Use**

**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.]*

**FINDING:** The subject property is zoned Multi-Family Residential Zone (R3). The subject property is developed with four existing multiple-family dwellings. Multiple-family dwellings are permitted outright in the R3 zone. No new development is proposed through this subdivision. Criterion is met.

*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.*

**FINDING:** The subject property is zoned Multiple-Family Residential Zone (R3). The proposed lots meet the R3 lot size requirements as shown in the following table. Criterion is met.

<b>Requirement</b>	<b>R3 (multiple-family dwellings)</b>	<b>Proposed lots</b>
<b>Minimum lot width</b>	50 feet, and 35 feet for cul-de-sac lots.	Lot 1: Along Birch - Curved front yard measured width at intersection of west and south lines to north line = ~100 feet Lot 2: Along 5 <sup>th</sup> = 110.14 feet Lot 3: Along 5 <sup>th</sup> = 110.13 feet Lot 4: Along Cedar = 118.17 feet
<b>Minimum lot area</b>	For multiple-family dwellings,	Lot 1: 10,180 square feet

	7,500 square feet	Lot 2: 12,136 square feet Lot 3: 13,950 square feet Lot 4: 8,045 square feet
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*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.*

*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.]*

**FINDING:** The subject property is zoned Multiple-Family Residential Zone (R3). Setbacks in the R3 Zone are as stated above. The subject property is developed with four existing multiple-family dwellings. The existing building setbacks as compared to the proposed Lot lines meet the R3 setback standards for the most part, as shown in the table below. There are two exceptions including the front setback of Building C on Lot 2 along 5<sup>th</sup> Avenue, and the back yard setback of building A on Lot 4. Criterion is met with condition - variance approval or reconfiguration of the lot line to meet the standard.

<b>Requirement</b>	<b>R3 (multiple-family dwellings)</b>	<b>Proposed lots</b>
<b>Minimum front yard setback</b>	15 feet (Any side along a street)	Lot 1: Along Birch = 20.1 feet Along 6 <sup>th</sup> = 30 feet Lot 2: Along 5 <sup>th</sup> = 9.62 feet (existing property line, existing non-conformance)

		Along Birch = 68.2 feet Lot 3: Along 5 <sup>th</sup> = 37.9 feet Along Cedar = 42.1 feet Lot 4: Along Cedar = 15 feet
<b>Minimum side yard setback</b>	6 feet	Lot 1: West side of building D = 16.4 feet South side of building D = 10 feet Lot 2: North side of building C = 13.9 feet Lot 3: North side of building B = 10.8 feet West side of building B = 10.3 feet Lot 4: North side of building A = 17.5 feet South side of building A = 10.9 feet
<b>Minimum back yard setback</b>	15 feet	Lot 1: West side of building D = 18.3 feet Lot 2: West side of building C = 15.8 feet Lot 3: East side of building B = 41.7 feet Lot 4: <b>East side of building A = 14.9 feet</b>

**CONDITION:** This subdivision approval is contingent on the approval of a variance for the east side setback of building A (Lot 4) or the reconfiguration of the lot line to meet the standard.

*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.]*

**FINDING:** The subject property is zoned Multiple-Family Residential Zone (R3). The maximum height of buildings in the R3 Zone is 35 feet. The subject property is developed with four existing buildings. The applicant submitted a narrative stating that the average height of all four structures is 23 feet. Criterion is met.

*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.]*

**FINDING:** The subject property is zoned Multiple-Family Residential Zone (R3). The maximum lot coverage of buildings in the R3 Zone is 60 percent. The subject property is developed with four existing

buildings. The applicant submitted the percentage of building lot coverage for each proposed lot as shown in the table below (See Sheet 1 of 4 of Preliminary Plat). Criterion is met.

Lot	Lot Area	Building Area	% of Building Coverage
1	10,180	2,099	21%
2	12,136	2,126	18%
3	13,950	2,524	18%
4	8,045	2,116	26%

*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.]*

*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.]*

*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.]*

17.20.120 *Townhome (single-family attached/rowhouses) supplemental standards.*

**FINDING:** The above three provisions outline design criteria pertaining to building height transition, building orientation, and building form. The first and third sections (building height transition and building form) state that the application of the provisions is for new development and structures only. However, the second provision, building orientation, does not directly state the application of the provision. Staff believes that the Second provision, building orientation, is also meant to apply only to new development. The subject site is developed with existing buildings, and parking and no new development is proposed through this subdivision. Criterion is met.

## **Chapter 17.80 FLOOD HAZARD AREAS**

17.80.010 *Statutory authorization, findings of fact, purpose, and objectives.*

A. *Statutory Authorization.* The Legislature of the State of Oregon has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

B. *Findings of Fact.*

1. *The flood hazard areas of Junction City are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.*

2. *These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.*

17.80.020 *Definitions.*

*“Area of shallow flooding” means a designated AO, or AH zone on the flood insurance rate map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.*

*“Area of special flood hazard” means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.*

*“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “100-year flood.” Designation on maps always includes the letters A or V.*

#### *17.80.030 General provisions.*

*A. Lands to Which This Chapter Applies. This chapter shall apply to all areas of special flood hazard within the Junction City city limits.*

*B. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study for Lane County,” dated June 2, 1999, and as amended, with accompanying flood insurance maps, as amended, are hereby adopted by reference and declared to be a part of this chapter. The flood insurance study is on file at Junction City’s City Hall.*

**FINDING:** The Junction City Municipal Code (JCMC) sets forth provisions that regulate development on parcels that are located within an area of special flood hazard. According to RLID, the subject property is designated Zone AE which is within a Special Flood Hazard area.<sup>4</sup> As stated above, JCMC defines “Area of special flood hazard” as land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year (designation on maps always includes the letters A or V). The subject property is within an “Area of special flood hazard” designated by JCMC and is subject to JCMC Section 17.80 Flood Hazard Areas. Criterion is met.

#### *17.80.040 Administration.*

##### *A. Establishment of Development Permit.*

*1. Development Permit Required. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in JCMC 17.80.030(B). The permit shall be for all structures including manufactured homes, as set forth in the definitions, and for all development including fill and other activities, also as set forth in the definitions.*

*2. Application for Development Permit. Application for a development permit shall be made on forms furnished by Junction City and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.*

*Specifically, the following information is required:*

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<sup>4</sup> Regional Land Information Database (RLID). FIRM Map Number 41039C0602 F. Retrieved December 9, 2013.

- a. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
- b. Elevation in relation to mean sea level to which any structure has been floodproofed;
- c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in JCMC 17.80.050(B)(2); and
- d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

*JCMC 17.80.040 Administration.*

*C.2. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with JCMC 17.80.030(B), Basis for Establishing the Areas of Special Flood Hazard, the building official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer JCMC 17.80.050(B), Specific Standards, and (C), Floodways.*

*3. Information to Be Obtained and Maintained.*

- a. *Where base flood elevation data is provided through the flood insurance study or required as in subsection (C)(2) of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.*
- b. *For all new or substantially improved floodproofed structures:*
  - i. *Verify and record the actual elevation (in relation to mean sea level);*
  - ii. *Maintain the floodproofing certifications required in subsection (A)(2)(c) of this section; and*
  - iii. *Maintain for public inspection all records pertaining to the provisions of this chapter.*

**FINDING:** This provision sets forth requirements for review of any development within an “Area of special flood hazard.” The subject property is within an area of special flood hazard as stated above. As such, with new construction the City needs to review special information in regard to flood elevations. However, no new construction is proposed and the site is developed. Criterion is met.

**Chapter 17.90 OFF-STREET PARKING AND LOADING**

*17.90.010 Off-street parking.*

- A. *Off-Street Parking Spaces Required. At the time of erection of a new structure, at the time of enlargement of an existing structure’s floor area by more than 20 percent, or at the time of*

*change in use of an existing structure within any zone in the city, off-street parking spaces shall be provided in accordance with the requirements of this section.*

*Multifamily dwellings*

*Two spaces per dwelling unit with three or more bedrooms and 1.5 spaces per dwelling unit with less than three bedrooms.*

**FINDING:** This provision outlines the types of development or change in use that prompts compliance with the off-street parking and loading standards and minimum parking requirements by land use. Because the structures on-site exist and no new development or change of use is proposed, the subject site is not required to come into compliance with the off-street parking and loading standards. Approximately 27 parking spaces are provided on the subject property. Criterion is met.

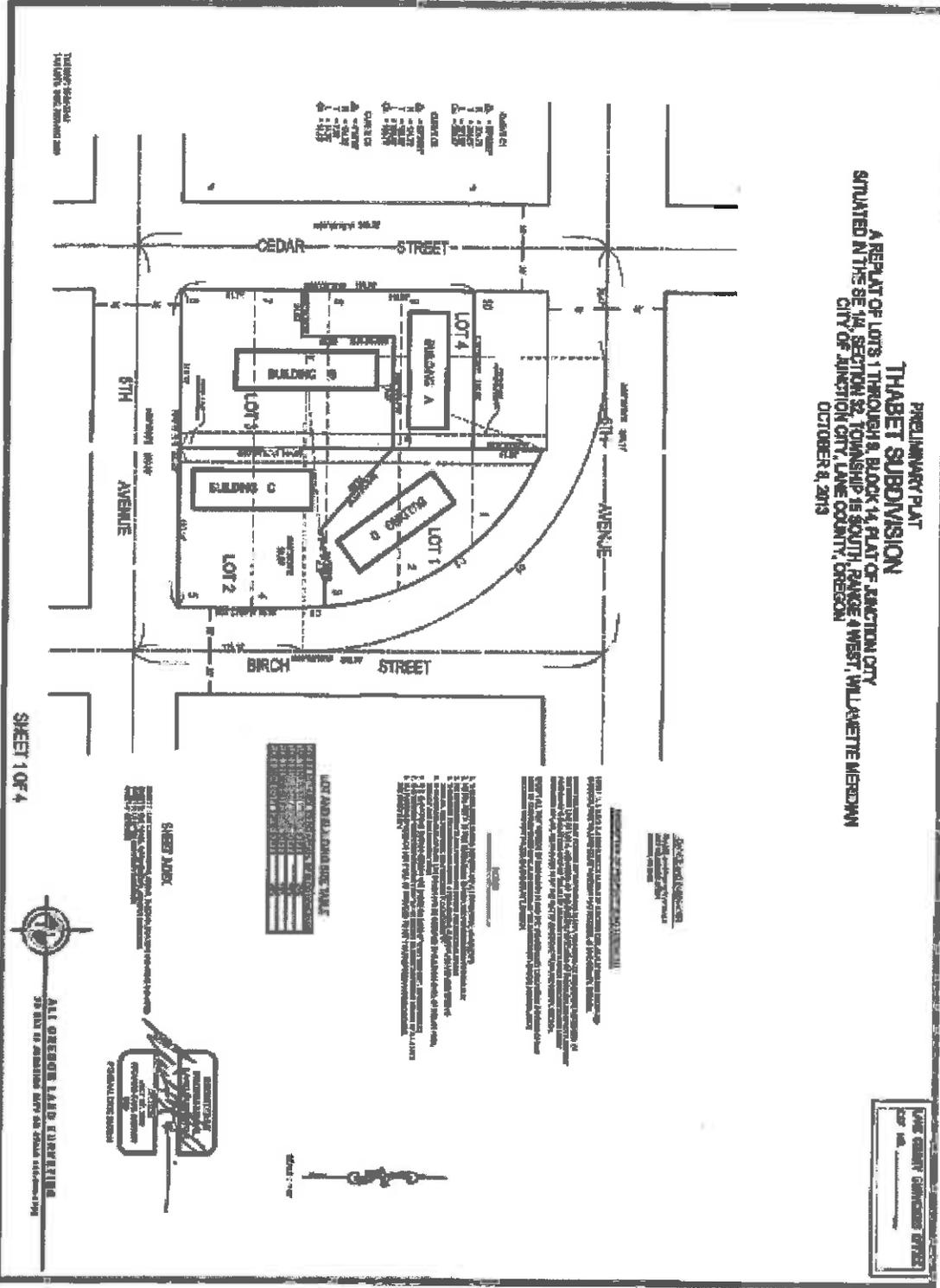
**RECOMMENDATION**

Staff recommends that the application for preliminary subdivision (SUB 13-02) of the subject property located northeast of the intersection of Cedar Street and 5th Avenue, Junction City, OR (Assessor's Map: 15-04-32-42 Tax Lots 3400, 3500, 3600) be **approved with the following conditions**. The conditions below are recommended to the Planning Commission in response to the relevant ordinances and regulations as described in this report.

1. The applicant/surveyor shall submit a paper copy of the final plat for review to the Lane County Surveyor's Office along with processing fee and other submittal requirements as noted in the "Plat Submittal Checklist" on the Lane County Surveyor's website. The final plat must be prepared by a land surveyor registered in the State of Oregon and conform to ORS Chapters 92 and 209.250.
2. Prior to final plat approval, the applicant shall work with the Building Official to obtain a non-buildable easement in order to comply with the fire-resistance rating requirements for exterior walls based on fire separation distance per OSSC Table 602 (Building D will be closer than 10' to the proposed property line and will require fire rated construction).
3. Prior to final plat approval, the applicant shall install, or show proof of, building address numbers and building identification placed in a position that is plainly legible and visible from the street fronting the property to show compliance with 2010 OFC Section 505.
4. The applicant must submit the Final Plat within two years of the preliminary partition approval in accordance with JCMC 16.05.040.D.2.
5. At the time of Final Plat, the applicant shall submit common area easement agreements that address at a minimum the following shared matters (current and possible future re-development of each lot): parking use and maintenance, landscaping use and maintenance, sidewalk use and maintenance, garbage collection, laundry facility (Lot 3) use and maintenance, and access drive use and maintenance.
6. This subdivision approval is contingent on the approval of a variance for the east side setback of building A (Lot 4) or the reconfiguration of the lot line to meet the standard.

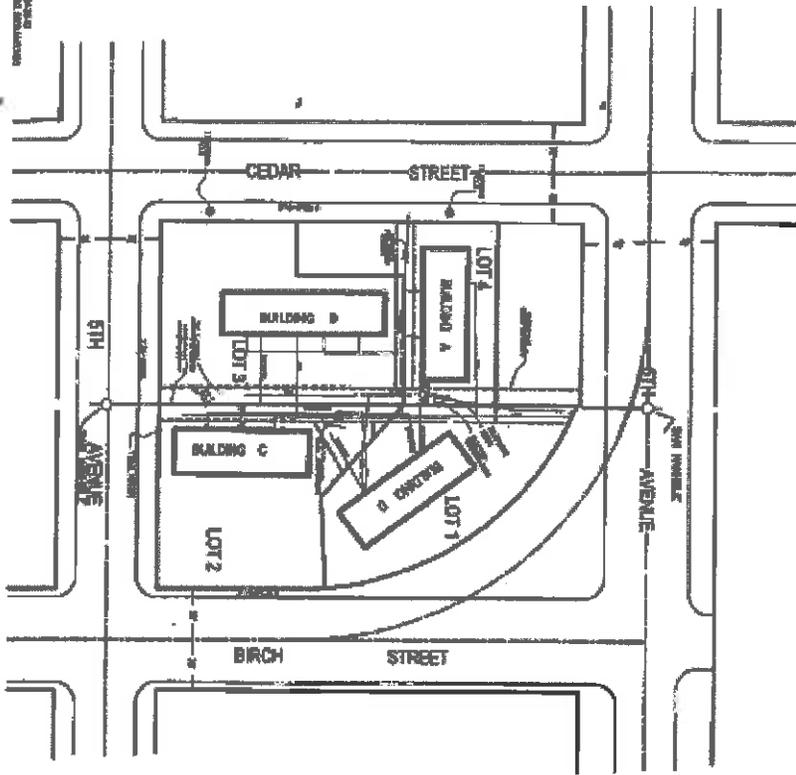
**Attachment 1: Preliminary Plat**

**PRELIMINARY PLAT**  
**THABET SUBDIVISION**  
 A REPLAT OF LOTS 1 THROUGH 8, BLOCK 14, PLAT OF SECTION CITY  
 SITUATED IN THE SE 1/4 SECTION 32, TOWNSHIP 15 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN  
 CITY OF AMNECON CITY, LANE COUNTY, OREGON  
 OCTOBER 8, 2013





PRELIMINARY PLAN  
**THABET SUBDIVISION**  
 A REPEAT OF LOTS 1 THROUGH 4, BLOCK 1/4, PLAT OF JUNCTION CITY  
 SITUATED IN THE SE 1/4, SECTION 32, TOWNSHIP 16 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN  
 CITY OF JUNCTION CITY, WASHINGTON COUNTY, OREGON  
 OCTOBER 8, 2013



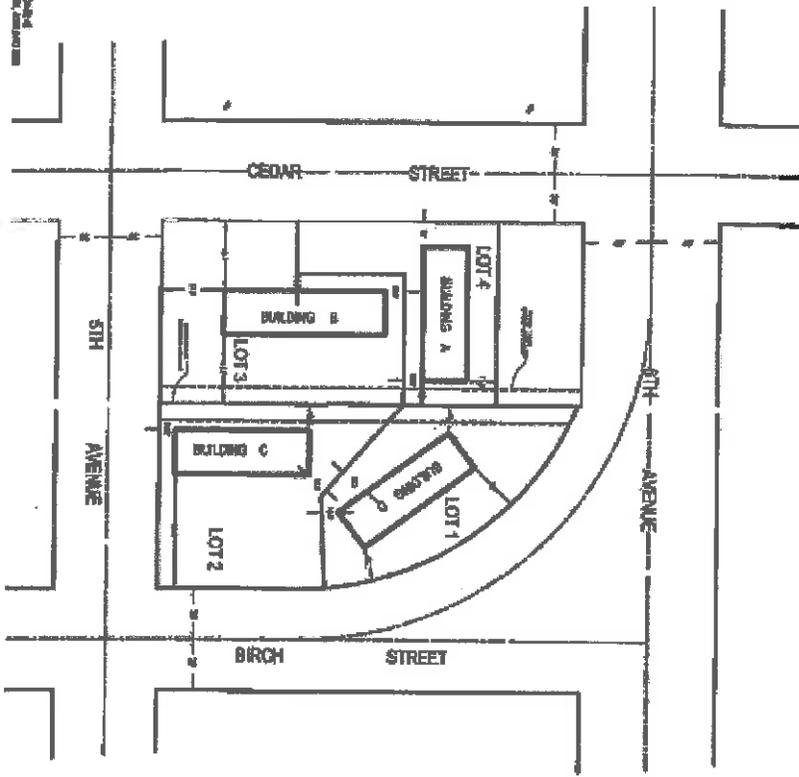
SHEET 3 OF 4

DATE: 10/08/13  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]



ALL OREGON LAND ENGINEERING, INC.  
 200 WEST 14th STREET, SUITE 200, JUNCTION CITY, OREGON 97130

PINE, LUMBER PLAT  
**THABET SUBDIVISION**  
 A REPLAT OF LOTS 1 THROUGH 4, BLOCK 14, PLAT OF JUNCTION CITY  
 SITUATED IN THE SE 1/4 SECTION 32, TOWNSHIP 32, RANGE 4 WEST, WILLAMETTE MERIDIAN  
 CITY OF JUNCTION CITY, LANE COUNTY, OREGON  
 OCTOBER 1, 2013



UNLAWFUL TO BE USED  
 FOR OTHER THAN THE ABOVE

SHEET 4 OF 4

JUNE COUNTY ENGINEERING SERVICE  
 1011 N. 10TH ST.  
 JUNCTION CITY, OR 97130



ALL OREGON LAND SURVEYING  
 29 501 N. 30TH ST. SUITE 201 JUNCTION CITY, OR 97130