

**JUNCTION CITY PLANNING
 PADDOCK PRELIMINARY PARTITION (MP-13-01)
 Type II Procedure – Limited Land Use Decision**

Application Date: September 10, 2013
 Date Complete: November 26, 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 Administrator – M Bowers (e)
- Junction City Public Works Director – J Knope (e)
- Junction City Police – Chief Chase (e)
- Junction City, City Recorder – K Vodrup (e)
- Junction City Building Official – A Clair, Clair Company (h&e)
- Junction City Rural Fire Protection District - Chief Perry (e)
- Junction City School District – S White (e)
- Junction City Water Control District
- Lane County Transportation – L McKinney (e)
- Lane County Land Management – M Laird
- Lane Council of Governments (LCOG) (e)
- Lane County Surveyors
- ODOT – Region 2 Development Review Coordinator - G Juster (e)
- US Postmaster for Junction City (subdivisions) (e)
- Comcast Serviceability (e)
- Pacific Power - Doris Johnston (e)
- Emerald People Utility District (EPUD) – T Jeffreys (e)
- NW Natural – B Elder (R Berry-address changes) (e)
- Lane Transit District – S Luftig (e)

Applicant: Jamie Paddock
 Applicant Representative: Scott Goebel, P.E., P.L.S., Goebel Engineering & Surveying, Inc.
 Property Owner: Paddock Masonry, Inc.
 Assessors Map and Lot: Assessor’s Map: 15-04-31-00 Tax Lot 3300
 Zoning: Single-Family Residential Zone (R1)
 Plan Designation: Low Density Residential (L)
 Property Area: Approximately 44,311 square feet (3.59 acres)¹

REQUEST

The applicant is requesting approval of a preliminary partition of the above referenced property. The site is developed with two existing homes. The owner and applicant wish to subdivide the property into 3 lots. The subject property is within Junction City municipal boundary and within the Urban Growth Boundary (UGB). Existing access to the site is off of Chick Lane and West 6th Avenue. No new construction or development is proposed in association with this partition application however the applicant stated in the application that the proposed use of the new lots will be rural residential. The site is located southeast of

¹ Application submittal. Site Assessment of existing conditions.

the intersection of Oaklea Drive and West 6th Avenue (See Figure 1 below). The applicant has submitted a project narrative for the Commission's review (See Attachment 2).



Figure 1. Aerial Photograph of Site (2013).

The subject property is zoned Single-Family Residential Zone (R1) (See Figure 2).



Figure 2. Zoning Map.

Surrounding Zoning:

- North: West 6th Avenue zoned Single-Family Residential Zone (R1) and Unincorporated, un-zoned land
- East: Unincorporated, un-zoned land
- South: Unincorporated, un-zoned land
- West: Unincorporated, un-zoned land

The subject property plan designation is Low Density Residential (L) described in the Comprehensive Plan as: single-family residential uses at a typical density of one to eight dwelling units per acre for detached residential structures. Additional density may be achieved through a Planned Unit Development. (See Figure 3).

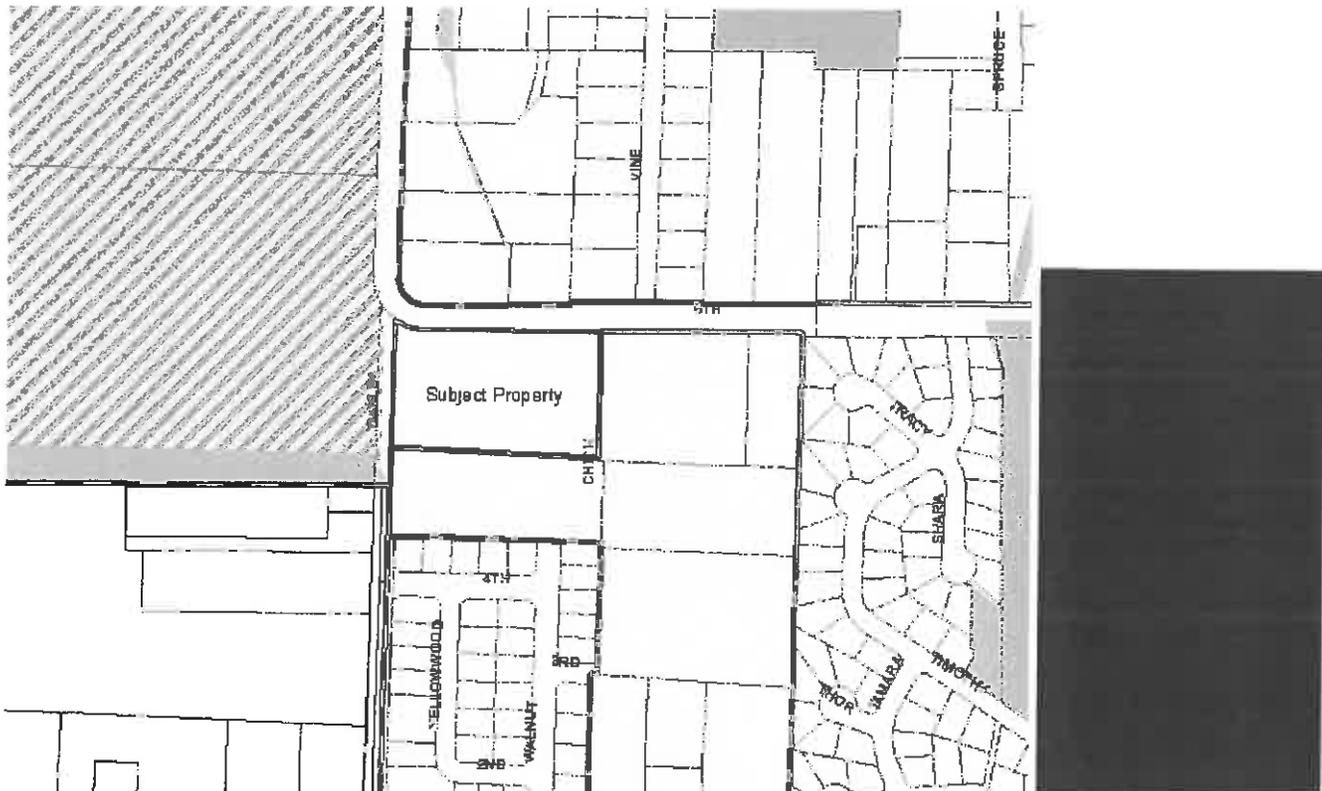


Figure 3. Plan Designation Map.

Surrounding Plan Designations:

- North: Low Density Residential (L) (1 to 8 dwelling units per acre)
- East: Low Density Residential (L) (1 to 8 dwelling units per acre)
- South: Low Density Residential (L) (1 to 8 dwelling units per acre)
- West: Residential Mix (R) (Density to be determined) and Open Space Wetlands (O)

The surrounding properties are developed with the following uses:

- North: The property adjoins 6th Avenue to the north.
- East: The property adjoins residential property to the east.
- South: The property adjoins residential property to the south.
- West: The property adjoins Oaklea Drive to the west.

LIST OF ATTACHMENTS

Attachment 1: Preliminary Partition (Sheets 1-5)

Attachment 2: Public Statement

Attachment 3: Applicant Project Narrative

BACKGROUND

The subject site is developed with two existing single-family dwellings and five accessory structures. One accessory structure is proposed to be removed through the partition application and all other existing buildings will remain. Through this subdivision application, the subject site will be divided into three separate lots with both existing dwellings on lot 3. One existing structure is proposed to remain on lot 2.

This part of the City has undergone several subdivisions and annexations in the past decade. This partition application is in response to the City's growth and development in the area. The subject property was annexed into the City in 2007 (Walsh Annexation). City Council minutes reveal that although the property does not appear to be contiguous to the City limits, it met the definition of contiguous interpreted by the Boundary Commission and the City Council.²

As part of the 2007 annexation, the City approved an agreement for the future connection to City utilities. Provisions for the connection to City utilities are set forth in the Walsh Annexation Agreement. In general the annexation agreement states that the applicant shall construct and extend City utilities (Water, sanitary sewer, and stormwater) that are adequate to serve the existing and future development of the site, and that meet City standards.³ The covenants within the agreement run with the land however, it is unclear as to whether or not the agreement has expired. Therefore, Staff is recommending a condition of approval that: Prior to Final Plat approval, the applicant shall work with the City to review the 2007 Walsh annexation agreement and if found by the City that the existing document is inadequate to address the future improvements to the subject site (including but not limited to the extension of City utilities and improvements to Chick Lane), the applicant shall revise and sign an agreement that addresses said improvements.

In 2011, the subject property was rezoned from the original county zoning of Rural Residential to the City zoning R-1 Single Family Residential. Originally, the applicant had applied for a rezoning to R-2 Duplex Residential however upon review the Planning Commission recommended the lower density zoning. In general the reasons for the change were public testimony and the compatibility with the City's Comprehensive Plan.⁴

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, one written public comment was received and is included in this report as an attachment (See Attachment 2). Referrals were sent to the agencies referenced above on November 27, 2013. The City received comments from the following agencies.

² Junction City Council minutes of September 11, 2007.

³ Walsh Annexation Agreement. Recorded at Lane County Deeds and Records. Record #2007-067081.

⁴ Junction City Council Minutes of April 12, 2011. Public Hearing – Paddock Rezone Request (RZ-10-01).

- NW Natural Gas Services (Will Isham) December 2, 2013:
 - We do have Natural Gas facilities in the Paddock partition request area. There is a 2” steel main on Oaklea Dr. to the west, and also to the north on 6th St. There is a 1” main that runs 383’ along the east side of Chick Ln. It serves the residents at #40, #55, #70, and #75 Chick Lane.
- ODOT (Gerry Juster) November 29, 2013:
 - The property is off the state highway system. ODOT has no concerns.
- Lane Transit District (Sasha Luftig) December 9, 2013:
 - LTD is not affected by the proposal. We have no additional comments.

CRITERIA AND FINDINGS

The following FINDINGS demonstrate that the proposed preliminary partition, 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 (Partitions)

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.

“Partition land” means to divide land into two or three parcels of land within a calendar year, but does not include:

- 1. A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property, or the creation of cemetery lots; or*
- 2. An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable zoning ordinance.*

“Major partition” means a partition which includes the creation of a road or street.

FINDING: According to JCMC 16.05.020, Definitions, the proposal meets the definitions of ‘partition land’ and ‘major partition.’ Therefore, the City has accepted this application for preliminary partition. The proposal includes a new joint access approach off of West 6th Avenue and the dedication of an existing road (Chick Lane). With the dedication of the road and the proposed new access approach, Staff interpreted the application to include the creation of a road or street and therefore considered as a major

partition. The applicant's written statement states, "There are no current public assessments, liens, utility charges or fees associated with the property." 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 preliminary partition 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.

C1 approval effective 2 years

CONDITION: The applicant must submit the Final Plat within two years of the preliminary partition 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 two residences and several accessory structures. The existing residences gain access off Chick Lane, a private road. Through this partition the applicant is proposing to dedicate the general area of the existing Chick Lane to the City. The main purpose of the dedication is to anticipate the future extension of the road to the south to connect to Walnut Street. An existing sanitary sewer pump station exists at the end of Chick Lane which prohibits the direct connection to Walnut Street at this time.

The proposal includes a new access approach off West 6th Avenue which will serve Parcels 1 and 2. A 20 foot wide private access easement is proposed in association with the access approach. The future shared driveway is not anticipated to be dedicated to the City. The new access approach is further discussed below. 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>	<i>60' – 120' ****</i>	<i>36' – 52'</i>	<i>6.5'</i>	<i>6'</i>
<i>Major and Minor Collector Streets</i>	<i>50' – 80' ****</i>	<i>34' – 46'</i>	<i>5.5'</i>	<i>6' (if required)</i>
<i>Local Streets</i>	<i>40' – 60'</i>	<i>20' – 36'</i>	<i>5.5'</i>	<i>Not required</i>
<i>Other Local Streets</i>	<i>40' – 60'</i>	<i>20' – 36'</i>	<i>5.5'</i>	<i>Not required</i>

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>Cul-de-Sacs</i>	<i>40' – 50'</i>	<i>28' – 36'</i>	<i>5.5'</i>	<i>Not required</i>
<i>Cul-de-Sacs Bulb</i>	<i>92' ***</i>	<i>70' ***</i>	<i>5.5'</i>	<i>Not required</i>
<i>Hammerhead or "T" stubs</i>	<i>30' "T" end</i>	<i>15' – 20'</i>	<i>5.5'</i>	<i>Not required</i>

* 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. The applicant is proposing the dedication of additional public right-of-way along Oaklea Drive. The existing Chick Lane is proposed to be dedicated to the City through this partition. Three existing residences gain access from Chick Lane, two of which are on the subject property. Chick Lane is currently constructed with gravel and dead-ends at the property edge. A local street with hammerhead or 'T' stub shall have a minimum right-of-way of 30 feet and a paving width of 15-20 feet (Reference Table 16.05.050: Street Standards above). The proposed dedicated right-of-way of Chick Lane is 30 feet in width and matches the minimum width requirement.

With future development of the property to the east and south, the City anticipates connecting the street (Chick Lane) to Walnut Street and widening the right-of-way to 50 feet to meet City standards for through-streets. The additional Right-of-way is anticipated to come from the neighboring property to the east. Improvements (e.g. paving, curb and gutter, sidewalk) to Chick Lane are expected at such time that the property to the east is subdivided and contributes the additional right-of-way. Staff recommends a condition of approval that the applicant work with the City to review the 2007 annexation agreement and revise and sign a document that addresses the future improvements to Chick Lane. Criterion is met with condition.

C2 future improvements to Chick Lane

CONDITION: Prior to Final Plat approval, the applicant shall work with the City to review the 2007 Walsh annexation agreement and if found by the City that the existing document is inadequate to address the future improvements to the subject site (including but not limited to the extension of City utilities and improvements to Chick Lane), the applicant shall revise and sign an agreement that addresses said improvements.

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:

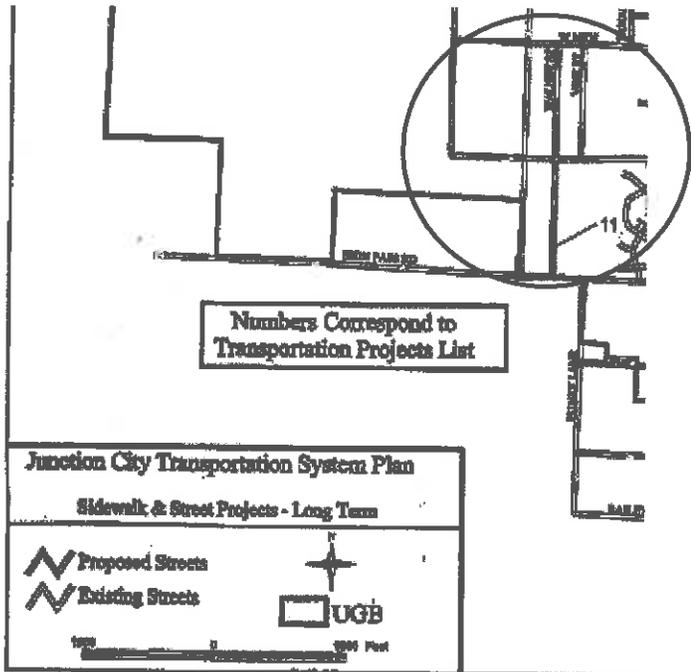
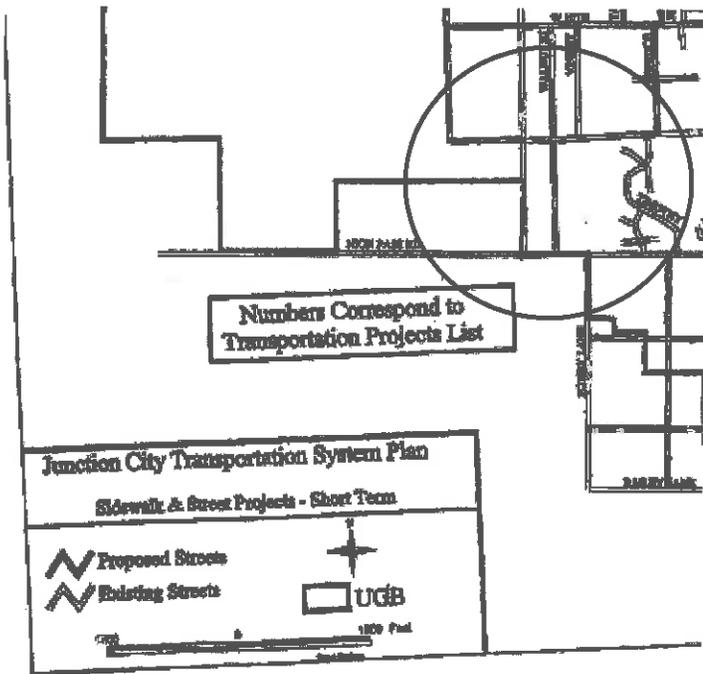
- a. To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly partitioning or subdivision of land lying beyond the street; or*
- b. To prevent access to the side of a street on the side where additional width is required to 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 TSP (July, 2000) for any street & sidewalk projects near the site. The July 2000 TSP calls for the extension of Walnut Street through the subject property. In the July 2000 TSP, Walnut Street is designated as a ‘proposed’ street extending from West 10th Avenue to West 1st Avenue. The proposed alignment is straight and parallel to Oaklea Drive and is illustrated on both the short-term and long-term sidewalk and street projects maps (See excerpts of maps below). Although it is not adopted and therefore not enforceable, the draft update to the TSP does not include an extension of Walnut Street to the south.



The proposed dedication of Chick Lane is not exactly aligned with the proposed alignment of Walnut Street. The main reason for the dis-alignment is the existing conditions of the area including but not limited to: Location of the existing residences on the subject property and on adjacent land to the south, location of the existing Chick Lane, and location of the existing sanitary sewer pump station.

Staff considered the possibility of requesting a reserve strip of land for the possible future extension and alignment of Walnut Street through the subject site as called for in the adopted TSP. However, Staff believes a reserve strip may cause undue hardship to the property owner because of the proposed dedication of Chick Lane. The proposed Chick Lane dedication (through this partition application)

removes land from the owner's control. If the City requested a reserve strip for the future dedication of a street alignment with Walnut Street it would take additional land from the proposed Parcel 3, leaving the Parcel undesirable for re-development.

Another option Staff considered is that the applicant would not dedicate Chick Lane at this time and instead the applicant would agree to a reserve strip for a future street that aligns with Walnut Street. This would meet the City's adopted TSP proposed alignment. However, the future design and timing of the re-development of the subject property (affected proposed Parcel 3) and surrounding properties is unknown. Also, there is an existing sanitary sewer pump within the alignment of Walnut Street and the City does not have short-term plans to move it.

It is very difficult to forecast the likelihood of the successful future alignment of Walnut Street because of the numerous variables including: 1) The location of the existing residences on the subject property are within the alignment of Walnut street and the re-development of the structures is unknown, 2) The location of the existing residence on the abutting property to the south is within the alignment of Walnut street and the re-development of the structures is unknown, and 3) The location of the existing sanitary sewer pump station on the adjacent property to the south is within the alignment of Walnut street and the re-development or removal of the pump is unknown.

Due to the findings stated above, Staff is not recommending a reserve strip through the subject property for the future possible extension of Walnut Street from the south. Criterion is met.

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 both adjacent streets (Oaklea Drive and West 6th Avenue) 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). No reserve strips are proposed for dedication of land for parks or way-finding purposes. 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. The existing Chick Lane that is proposed to be dedicated through this partition application does not align with any street across West 6th Avenue. The nearest street across West 6th Avenue is Vine Street to the east. Vine street is approximately 100 feet from the existing Chick Lane as measured from the centerlines of both right-of-ways (See attached Preliminary Partition page 4 of 5). 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. The existing Chick Lane, that is proposed to be dedicated to the City through this partition, is at a comparable topography to West 6th Avenue. There are no proposed topographical changes to the existing construction of Chick Lane. 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. There are no streets directly adjacent to the subject property that are proposed for extension. The future extension of Walnut Street from the south was discussed in a previous section of this report. Two of the three proposed parcels will gain access off of the existing West 6th Avenue to the north. The third parcel will gain access from the existing Chick Lane on the subject property and is proposed to be dedicated through this partition. 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 new Cul-de-Sacs or dead-end streets are proposed as part of this partition. The existing Chick Lane is a dead-end street and no changes are proposed to the construction of the street through this partition. 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 through this partition. The existing Chick Lane that is proposed to be dedicated to the City through this partition does not follow the City's naming convention. Staff is recommending a condition that the applicant shall work with the City to propose a suitable street name to replace 'Chick Lane' that meets the City's street naming convention prior to Final Plat approval. Criterion is met with condition.

C3 street name

CONDITION: The applicant shall work with the City to propose a suitable street name to replace ‘Chick Lane’ that meets the City’s street naming convention prior to Final Plat approval (Reference JCMC 16.05.050).

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 street improvements are proposed within the partition. The applicant’s written statement states, “All streets grades are less than 6%. There are no horizontal curves required as part of this application.” The dedication of the existing Chick Lane will not cause changes to the grades, curves, or connectivity of the City’s existing street system. 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. No dedication of an alley is proposed through this partition application. Staff reviewed the City's Transportation System Plan and no future alleys are planned on the subject property. No alleys are required for the access needs of the partition. 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.

FINDING: This provision sets forth design standards block length and perimeter. Specifically, block length shall not exceed 600 feet and the maximum block perimeter shall be 1,600 feet. The proposed 'block' that is the subject property has an approximate block length of 600 feet (as measured along the West 6th Avenue frontage between Oaklea Drive and the proposed dedicated Chick Lane). The second portion of this provision may be a typo. If the maximum block length is 600 feet and the maximum perimeter is 1,600 feet, then the width of a block that is 600 feet would be 2.6 feet, which is much too small for development. The approximate perimeter of the subject property (all three proposed parcels) is 138,000. And without a formal interpretation of the second standard (maximum perimeter), it is difficult to enforce when it contradicts the first standard (maximum length). Staff is unaware of a formal interpretation of the provision. The subject property meets the first standard of maximum block length. Criterion is met.

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 street connectivity. The subject property is bordered on the west (Oaklea Drive) and north (West 6th Avenue) by existing public streets. The proposed partition includes the dedication of Chick Lane which extends south from West 6th Avenue toward the existing Walnut Street. A private property separates the subject property from Walnut Street. The partition does not include an extension of Chick Lane to the west towards the existing Oaklea Drive. An extension of Chick Lane to the west would not be required if we use the above standard of maximum 600 foot block length to determine the adequate street connectivity for the subject property (Reference 16.05.050.C1). The block length of the subject property as measured along Oaklea Drive is approximately 300 feet, which is under the maximum block length of 600 feet. In response to 16.05.050.C.2.c above the subject property does not contain designated natural resource areas.⁵ The partition meets the standards for street connectivity through the dedication of Chick Lane. 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 bordered by two public streets (Oaklea Drive and West 6th Avenue). Neither of the bordering streets have sidewalks. The proposed partition includes the dedication of Chick Lane. However, because of the existing conditions the City is not requiring improvements to Chick Lane at this time. Two existing residences (on proposed Parcel 3) are addressed off of Chick Lane and the lane exists as a private driveway. As stated above, Staff is proposing a condition of approval that the applicant shall sign an agreement for future improvements to Chick Lane which may include the construction of sidewalks.

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. Existing utilities are located to the north and south of the subject property. Utility easements are proposed over the site for the extension of public utilities to the proposed parcels. Criterion 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-

⁵ Junction City Comprehensive Plan designation map. Adopted October 12, 2012.

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. At the time of redevelopment or new development of the proposed parcels, perimeter fencing and landscaping may be required along Oaklea Drive and West 6th Avenue 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 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.	R1 zone	Proposed lots
Minimum lot width	60 feet For authorized key and butt lots = 65 feet	60 feet, and 35 feet for cul-de-sac lots.	Parcel 1: 138.7 feet Parcel 2: 171.9 feet Parcel 3: 141.1 feet
Minimum lot area	In accord with the subject property zoning district	6,000 square feet	Parcel 1: 44,856.8 sf Parcel 2: 51,836.4 sf Parcel 3: 43,560 sf
Minimum lot depth	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 R1 district	Parcel 1: 275.1, 297.6 Parcel 2: 297.6, 306.6 Parcel 3: 306.6, 312.9
Minimum lot frontage	60 feet Along a curved street = 35 feet	Not addressed in the R1 district	Parcel 1 (W. 6 th Avenue): 138.7 feet Parcel 2 (W. 6 th Avenue): 171.9 feet Parcel 3 (Chick Lane): 312.9 feet

The subject property is within the Single-Family Residential Zone (R1). All proposed parcels meet the lot requirements as illustrated in the table above. 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 partition. 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: All proposed lots run at right angles to the street upon which the lots face. 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 R1 Single-Family Residential Zone. All proposed lots are sized appropriately according to the zoning standards. All lots are suitable in size for the permitted and intended residential uses of the lots. No lots are of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition. Criterion is met.

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). All proposed parcels are greater than one-half acre (21,780 square feet) in size and subject to this provision. The applicant’s written statement states, “There is no plan for further dividing of the proposed partition in the future.” The Planning Commission may restrict future buildings within future street locations so as to not interfere with the orderly extension of adjacent streets. With the dedication of Chick Lane, the

applicant is restricting development for the future improvement of Chick Lane. No other streets are proposed within the partition that would warrant a restriction of buildings on the proposed parcels. Criterion is met.

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, are met:

“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: 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 therefor approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

FINDING: The applicant has provided a tentative utility and grading plan that illustrates the drainage of the subject property. A new private stormwater treatment pond is proposed at the northeast corner of the site (over Parcels 2 and 3). The proposed pond is meant to collect the stormwater from the proposed parcels. The applicant submitted a detailed storm water study that addresses drainage issues. 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. The Council adopted Resolution 1018 that adopts the Parks and Recreation System Development Charges Methodology Update Report (April 19, 2010) which sets forth System Development Charges (SDC) for parks and recreational facilities. Staff recommends that in response to this provision, the Planning Commission adopt a condition of approval that requires the applicant to pay the required SDC in accordance with Parks and Recreation System Development Charges Methodology Update Report (April 19, 2010) and any adopted revisions at the time of building permit. Criterion is met with condition.

CONDITION: The applicant shall pay the required SDC in accordance with Parks and Recreation System Development Charges Methodology Update Report (April 19, 2010) and any adopted revisions at the time of building permit.

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: This provision references the fill standards from Chapter 70 of the Oregon Structural, Specialty and Fire and Life Safety Code. No lot fill is proposed through this partition application. The final utility and grading plan must be approved by the City Public Works Department prior to building permit. Criterion is met with condition.

C4 PW approval

CONDITION: The final utility and grading plan must be approved by the City Public Works Department prior to building permit.

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: Finished floor elevations are reviewed at the time of building permit. The final utility and grading plan must be approved by the City Public Works Department prior to building permit. Criterion is met with condition (Same condition as stated above).

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 applicant has submitted a Tentative Utility & Grading Plan that must meet this standard. The final utility and grading plan must be approved by the City Public Works Department prior to building permit. Criterion is met with condition (Same condition as stated above).

JCMC Title 17, Zoning and Land Use

Chapter 17.10 SINGLE-FAMILY RESIDENTIAL ZONE (R1)

17.10.010 Uses permitted outright.

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

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

B. Residential care home.

C. Day care home.

D. Home occupations.

E. Accessory structures.

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

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

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

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

4. A maximum of one accessory dwelling unit is allowed per lot.
5. The floor area of the accessory dwelling unit shall not exceed 800 square feet.
6. The building height of a detached accessory dwelling (i.e., separate cottage or second floor above a detached garage) shall not exceed 25 feet.
7. An accessory dwelling is subject to existing setback requirements, with the exception of the rear setback if the rear lot line borders an alley, in which case the minimum setback shall be four feet.

G. Manufactured homes provided they conform to the following:

1. The structure shall be multisectional and enclose a space of no less than 1,000 square feet.
2. The dwelling shall be placed on an excavated and backfilled foundation and enclosed at the perimeter such that the manufactured dwelling is located not more than 12 inches above grade.
3. The dwelling shall have a pitched roof of at least three feet in height for every 12 feet of width.
4. Exterior siding and roofing shall be similar in color, material, and appearance to the exterior siding and roofing material commonly used on residential dwellings within the community, or which is comparable to the predominant materials used on surrounding dwellings as determined by the city building inspector.
5. The exterior thermal envelope shall be certified by the manufacturer to meet the performance standards required of single-family dwellings built under the State Building Codes.
6. The dwelling shall provide on-site covered parking consistent with the predominant construction immediately surrounding dwellings.

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

17.10.020 Conditional uses permitted.

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

- A. Cemetery.
- B. Church.
- C. Day care facility.
- D. Golf course and other open land recreational use, but excluding intensive commercial amusement uses such as "pitch and putt" golf course, automobile race track or amusement park.
- E. Governmental structure or land use including but not limited to a public park, playground, recreational building, fire station, library, museum, or civic center.
- F. Grange hall or community building.
- G. Hospital, sanitarium, rest home, home for the aged, nursing home or convalescent home.
- H. Residential care facility.
- I. School: nursery, day care, primary, elementary, junior or senior high.
- J. Utility lines or substation.
- K. Mortuary. [Ord. 1116 § 1, 2003; Ord. 1105 § 1, 2002; Ord. 950 § 10, 1991.]

FINDING: The subject property is zoned Single-Family Residential (R1). The uses listed above are permitted and conditional in the R1 zone. Any existing structures on the proposed parcels that are not in compliance with the above uses, are considered non-conforming and shall follow the provisions set forth

in the non-conforming chapter of the Junction City Municipal Code. The uses will be addressed at the time of redevelopment or new development of the proposed parcels. Criterion is met.

17.10.030 Lot size.

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

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

B. The minimum lot width shall be 60 feet and 35 feet for cul-de-sac lots.

FINDING: The subject property is zoned Single-Family Residential Zone (R1). The proposed lots meet the R1 lot size requirements as shown in the following table. Criterion is met.

Requirement	16.05.050 Platting and mapping standards. E. Lots. 1. Size and Frontage.	R1 zone	Proposed lots
Minimum lot width	60 feet For authorized key and butt lots = 65 feet	60 feet, and 35 feet for cul-de-sac lots.	Parcel 1: 138.7 feet Parcel 2: 171.9 feet Parcel 3: 141.1 feet
Minimum lot area	In accord with the subject property zoning district	6,000 square feet	Parcel 1: 44,856.8 sf Parcel 2: 51,836.4 sf Parcel 3: 43,560 sf

17.10.040 Setback requirements.

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

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

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

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

17.10.050 Heights of buildings.

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

17.10.060 Lot coverage.

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

17.10.070 Setback exceptions.

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

FINDING: The subject property is zoned (R1). Parcel 3 is developed with several existing buildings. Non-conformances to setbacks are created through this partition application illustrated in the table below. No new buildings are proposed in this preliminary partition request. Proposed structures will be evaluated for the setback standards at the time of building permit. Criterion is met with condition - variance approval or reconfiguration of the lot line to meet the standard.

Requirement	R3 (multiple-family dwellings)	Proposed lots (existing structures)
Minimum front yard setback	18 feet (Any side along a street)	Parcel 1: vacant Parcel 2: > 100 feet Parcel 3 along West 6th: Closest building > 100 feet Parcel 3 along Chick Lane: Closest building 1.58 feet
Minimum side yard setback	6 feet interior 15 feet along a street	Parcel 1: vacant Parcel 2: 12.8 feet Parcel 3 along West 6th: Closest building > 100 feet
Minimum back yard setback	15 feet	Parcel 1: vacant Parcel 2: 75 feet Parcel 3: 20 feet

CONDITION: This subdivision approval is contingent on the approval of a variance for the east side setback of Parcel 3 or the reconfiguration of the lot line to meet the standard.

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 X which is not within a Special Flood Hazard area.⁶ 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). Criterion is met.

17.85 ACCESS MANAGEMENT

17.85.010 Purpose.

⁶ Regional Land Information Database (RLID). Retrieved December 9, 2013.

This chapter is adopted to implement the access management policies of Junction City as set forth in the transportation system plan. The transportation system plan categorizes state, county and local roads for access purposes based upon their level of importance and function. The purpose of this chapter is to reduce traffic accidents, personal injury, and property damage attributable to poorly designed access systems, and to improve the safety and operation of the roadway network. This will protect the substantial public investment in the existing transportation system and reduce the need for expensive remedial measures. This chapter serves to further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision of land.

17.85.060 Corner clearance.

A. New accesses shall meet or exceed the minimum spacing requirements as set forth in Table 17.85.060 for that roadway's classification, as set out in the city's transportation system plan. The measurement shall be from centerline to centerline of the intersection.

Table 17.85.060: Access Spacing

Table 17.85.060: Access Spacing

Roadway Type	Access Spacing
Arterial	150 feet
Major Collector	75 feet
Minor Collector	50 feet
Local Street	25 feet

B. Where no other alternatives exist, the city may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connection restrictions (i.e., right in/out, right in only, or right out only) may be required.

FINDING: Two existing streets abut the subject property and one street is proposed to be dedicated through this partition. Access to the proposed Parcel 3 will be provided off of the existing Chick Lane to be dedicated through this partition. No changes to the location of Chick Lane are proposed through this partition. Access to the proposed Parcels 1 and 2 will be provided off of the existing West 6th Avenue classified as a Major Collector with a separation distance of 75 feet from the nearest approach. The proposed access approach is more than 75 feet from Oaklea Drive to the west and more than 75 feet from Chick Lane to the east. Criterion is met.

17.85.110 Site plan review procedures for access management. Access criteria:

1. All proposed roads shall follow the natural topography and preserve natural features of the site as much as possible. Alignments shall be planned to minimize grading.

2. Access shall be properly placed in relation to sight distance, driveway spacing, and other related considerations, including opportunities for joint and cross access.

3. The road system shall provide adequate access to buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection.

4. An internal pedestrian system of sidewalks or paths shall provide connections to parking areas, entrances to the development and open space, recreational and other community facilities associated with the development. Streets shall have sidewalks on both sides. Pedestrian linkages shall also be provided to the peripheral street system.

5. The access shall be consistent with the access management standards adopted in the transportation system plan.

FINDING: JCMC 17.85.110B. above sets forth access criteria for new development. The proposed preliminary partition meets the criteria as follows:

1. All proposed roads shall follow the natural topography and preserve natural features of the site as much as possible. Alignments shall be planned to minimize grading. The subject site is relatively flat with a planned storm water drainage area on the northeast portion of the property. Some existing trees on the subject site may be affected by the proposed access approach for Parcels 1 and 2. However the approach location along the shared property line does avoid the majority of the existing trees on site. The proposed roads do follow the natural topography and preserve natural features of the site as much as possible. Criterion is met.

2. Access shall be properly placed in relation to sight distance, driveway spacing, and other related considerations, including opportunities for joint and cross access. The proposed access approach off of West 6th Avenue is designed to specification for access spacing/sight distance. Joint and cross access is proposed through a 20' wide private access easement over the shared driveway for Parcels 1 and 2. Criterion is met.

3. The road system shall provide adequate access to buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection. The proposal provides adequate access for residents and visitors in passenger vehicles. The proposed access approach off of West 6th Avenue will be used for a private shared driveway for Parcels 1 and 2. Criterion is met.

4. An internal pedestrian system of sidewalks or paths shall provide connections to parking areas, entrances to the development and open space, recreational and other community facilities associated with the development. Streets shall have sidewalks on both sides. Pedestrian linkages shall also be provided to the peripheral street system. No sidewalks are proposed through this partition. No sidewalks exist on the adjacent West 6th Avenue. The existing Chick Lane is not proposed to be improved through this partition. Criterion is met.

5. The access shall be consistent with the access management standards adopted in the transportation system plan. The Junction City Transportation System Plan is currently being revised. The proposed preliminary subdivision application is generally in compliance with the adopted Transportation System Plan. Criterion is met.

Chapter Chapter 17.160 DEVELOPMENT STANDARDS

17.160.010 Purpose and policy.

The expressed purpose of this code is to assure equal and fair treatment to all individuals seeking to develop within the planning area of the city of Junction City. This chapter shall govern the development of property or structures within the planning area which are exempt from the subdivision requirements or are developed within subdivided property. The policies of the city of Junction City are as follows:

A. Adequate information must be presented with each development to assure zoning regulatory standards are upheld, coordinate traffic flow and street patterns and assure existing public and private utilities are not damaged or infringed upon by development.

B. To assure reasonable development standards are achieved to promote the development of Junction City, while protecting the tax base and tax burden of all residents in the community.

C. To foster and promote the logical extension of public improvements in an economical manner over a long term.

D. To empower the conditioning of the right to build or change uses of property with requirements to construct necessary public improvements.

FINDING: JCMC Section 17.160 sets forth development standards for new development. Under the Development requirements section, the applicant is required to submit a building permit for new development and the proper easements are required for dedication and participation in public facilities. Buildings, driveways, and landscaping are not yet proposed in this preliminary partition request. In order to evaluate the buildings, landscaping, and driveways in relation to one another and the proposed lot lines, the features will be evaluated in accordance with JCMC Section 17.160 at the time of building permit. Criterion is met with condition.

C5 Separate permits

CONDITION: The applicant shall apply for separate permits for the development of structures and private utilities for each new lot.

JCMC Title 12 Streets, Sidewalks and Public Places

12.05 House Numbering

12.10 Service Driveways

12.15 Protection of Sidewalks and Streets

12.20 Sidewalk Construction

12.25 Public Improvement Assessments

12.30 Improvement Procedures in Newly Annexed Territory

12.35 Street Trees

12.40 Public Works Design and Construction Standards

FINDING: Title 12 sets forth regulations in regard to house numbering, service driveways, sidewalk construction, street trees, etc. Buildings, driveways, and landscaping are not yet proposed in this preliminary partition request. In order to evaluate this level of detail and the buildings, and landscaping in

relation to one another and the proposed lot lines, the features will be evaluated in accordance with JCMC Title 12 at the time of building permit. Criterion is met with condition (Same as stated above).

RECOMMENDATION

Staff recommends that the application for preliminary partition of the subject property (MP 13-01) located southeast of the intersection of West 6th Avenue and Oaklea Drive, Junction City, OR (Assessor's Map: 16-04-06-11 Tax Lot 01400) 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 must submit the Final Plat within two years of the preliminary partition approval in accordance with JCMC 16.05.040.D.2.
2. Prior to Final Plat approval, the applicant shall work with the City to review the 2007 Walsh annexation agreement and if found by the City that the existing document is inadequate to address the future improvements to the subject site (including but not limited to the extension of City utilities and improvements to Chick Lane), the applicant shall revise and sign an agreement that addresses said improvements.
3. The applicant shall work with the City to propose a suitable street name to replace 'Chick Lane' that meets the City's street naming convention prior to Final Plat approval (Reference JCMC 16.05.050).
4. The final utility and grading plan must be approved by the City Public Works Department prior to building permit.
5. This subdivision approval is contingent on the approval of a variance for the east side setback of Parcel 3 or the reconfiguration of the lot line to meet the standard.
6. The applicant shall apply for separate permits for the development of structures and private utilities for each new lot.

**PRELIMINARY PARTITION
ALTERNATIVE TRANSPORTATION PLAN
SW 1/4 SEC. 31, T.15S., R.4W., W.M.
JUNCTION CITY, LANE COUNTY, OREGON
November 10, 2013
SCALE 1" = 200'**



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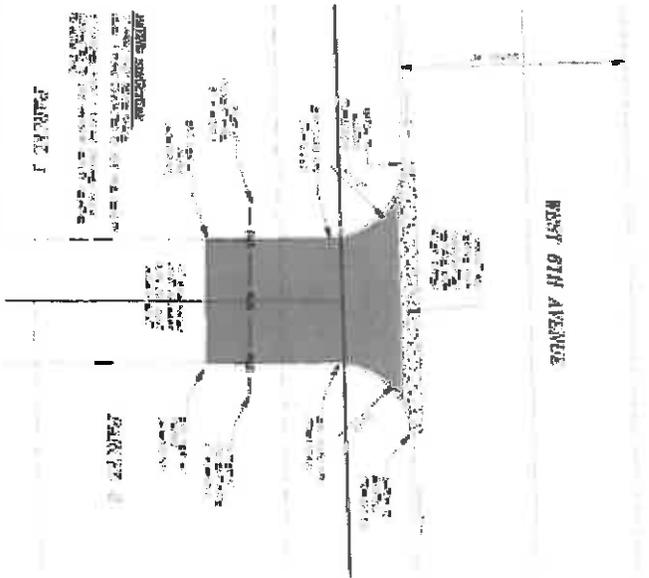
DATE OF PREPARATION: November 10, 2013
 SHEET 4 OF 5

PRELIMINARY PARTITION
STREET DEDICATION DIMENSIONS/ACCESS APPROACH DETAILS

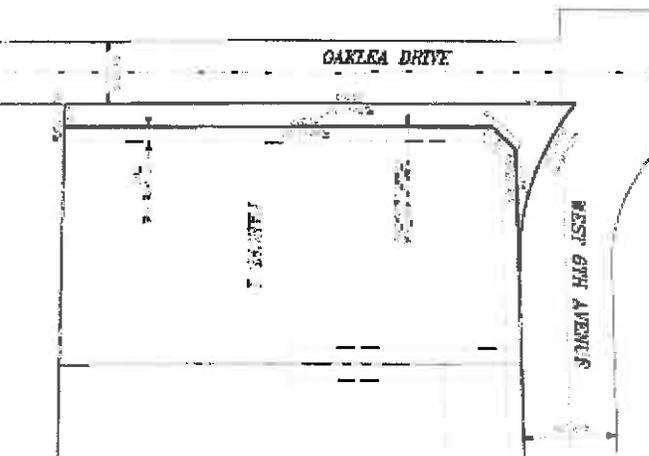
ST 1/4 SEC. 31, T.15S, R.4E, W.4E
JUNCTION CITY, LANE COUNTY, OREGON
November 19, 2013



SECRET AND/OR



JOINT ACCESS APPROACH DETAIL



STREET DEDICATION DETAIL



SECRET 5 OF 5

Attachment 2: Public Statement

December 8, 2013

Planner Nicole Peterson

Junction City Planning Commission members

Junction City Council Members

RE: Paddock Partition application MP 13-01

Planner Peterson and JC Planning Commission,

We the undersigned have no objection to Petitioner Paddock's request to subdivide his existing property into 3 lots, providing that no further partitioning or subdividing of this property occurs. Petitioner's proposal is consistent with existing rural residential development on adjacent lands and would appear to be a minor partition.

Based on Petitioner's original proposed plan, the continuation of Walnut Street would not be necessary for the partition proposal. If future partitioning or subdividing is planned, it is the responsibility of the petitioner, not adjacent landowners, to meet the city's code requirements as a condition of the current proposed partition.

It is not clear why, but Petitioner has been asked to address some of the subdivision and major partition conditions. In doing so, Petitioner proposes a relocation of Walnut Street that is objectionable. If future development, partitioning or subdivision is planned by petitioner, the proposed plan with respect to street access does not meet the City's Platting and Mapping Standards in the following ways:

1. Petitioner's proposed changes to Walnut Street are not consistent with existing stub or planned streets.
2. In his proposal, petitioner fails to deed sufficient right of way to meet the city's street requirements and instead proposes future deeding of right of way by other property owners on adjacent, already-developed properties.
3. The proposed future Walnut Street would result in an offset with Vine Street and a prohibited jog of less than 100 feet.
4. The proposal does not take into account the existing grade variations and topography.
5. Any future road extension of Walnut Street should continue through petitioner's tract, not moved over to include 3 adjacent properties under different ownership, all in the county and already developed adjacent to the petitioner's property.
6. Petitioner's proposed future street using the existing private drive, Chick Lane, does not meet the city's width and setback requirements for existing dwellings. In his proposal, petitioner fails to deed sufficient right of way to meet the city's street requirements and instead proposes future deeding of right of way by other property owners on adjacent, already-developed properties inconsistent with existing access rights.
7. The property proposed for partition is subject to the accumulation of surface water. The planning commission should require petitioner to provide for adequate and unrestricted drainage for the existing drainage needs of this and adjacent properties.

Page 1 of 2

As stated above, it appears that petitioner would satisfy the requirements for a minor partition and therefore the issue of streets should not need to be addressed at all; the proposed minor partition should be approved without the requirement of additional streets or planning for connectivity, as the adjacent properties are already developed along Chick Lane-so long as the approval stipulates that there shall be no further partitioning or subdivision of this property approved as a minor partition. As the partition as proposed will result in parcels of greater than a half-acre, the planning commission should make a restriction on further future partitioning or subdividing of Petitioner Paddock's property and should make such a restriction a condition of approving this request and make such a restriction a matter of record.

In conclusion, the solution would be for approval of the requested minor partition, with the condition of no further partitioning or subdivision of the subject property. Any approval and modification of the provisions of JCMC should be conditioned upon and restricted to the limited partitioning proposed.

Respectfully submitted by the undersigned,

Tim D. Nord and M. Kathleen Rodden-Nord, 55 Chick Lane, Junction City

Way L. Freeman and Paula A. Freeman, 75 Chick Lane, Junction City, OR

Iris J Nelson, 80 Chick Lane, Junction City, OR

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