

The City Council for the City of Junction City, met in special session at 6:30 p.m. on Tuesday, September 18, 2012, in the Council Chambers of City Hall, 680 Greenwood Street, Junction City, Oregon.

**PRESENT:** Mayor, David Brunscheon; Councilors Jack Sumner (via phone and Skype), Bill DiMarco, Jim Leach, Randy Nelson, Herb Christensen, and Laurel Crenshaw; City Attorney, Carrie Connelly; City Administrator, Kevin Watson; City Planner, Stacy Clauson; Consultant, Beth Goodman; and Administrative Assistant, Tere Andrews.

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Brunscheon called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

**II. CHANGES TO THE AGENDA**

None.

**III. COUNCIL DISCUSSION AND DELIBERATION ON PROPOSED AMENDMENTS TO JUNCTION CITY ZONING ORDINANCE AND COMPREHENSIVE PLAN, FILE NO. CPA-12-01**

Councilor Sumner joined the meeting, via phone and Skype.

Mayor Brunscheon asked if there were any conflicts of interest. Councilor Leach stated that he was met with an actual conflict of interest as he would be deliberating and rendering a final decision in his official capacity as City Councilor, because his property at 93048 Highway 99S, Junction City, is included in the Urban Growth Boundary. He removed himself from the Council table and took a seat in the audience.

Planner Clauson stated that on September 6, 2012, a public hearing was held on the proposed amendments to the City's Comprehensive Plan, Zoning Code, and expansion of the City's Urban Growth Boundary. Oral testimony was closed, but the written record was held open for one week. On August 29, 2012, the Planning Commission unanimously recommended approval of the amendments as currently presented to the Council. During the Council hearing, concerns and comments were expressed about the Wetland Resources Overlay and the commercial expansion issues for the Urban Growth Boundary. The Justification and Findings document had been revised to address some of those concerns. A proposal was received from Attorney Michael Reeder to amend the proposed level of protection from limited to no local protection in the May 23<sup>rd</sup> ESEE Analysis for the central, western, and eastern canals, so they would not be covered under the Wetland Overlay District.

Planner Clauson reviewed three Council options, which included going back and reviewing the Local Wetland Inventory (LWI). The Planning Commission did not recommend this and the process could take up to a year to review. DSL noted that a property owner could request that a wetlands determination be conducted on their property and individual refinements could be done. The second option was reviewing the analysis to determine which wetlands were locally significant. The Planning Commission recommended that the Council go forward with the current list of locally significant wetlands. The third option was to amend the local protection program. Concerns on the Wetland Resources Overlay were also received from citizens whose properties are outside the central, western, and eastern canals, and those wetlands had a higher quality soil.

Discussion followed with Planner Clauson providing responses to Council questions:

- DLCDC reviews the Goal 5 Protection Program.
- If the City were to amend the LWI by changing local protections, the City would need to meet the standards in Oregon Administrative Rules and provide justification for the changes.
- The canals were included in the wetland inventory, primarily because they were flood control devices and one way to protect that function would be by having local protection.
- The canal easements do provide a mechanism to address the flood control to satisfy Goal 5, but not all properties have easements. A policy could be added to the City's

Comprehensive Plan that addressed the desire to obtain easements and this could be accomplished through the City's administration of its stormwater regulations. If the Council directed staff to amend that language, the timeframe to accomplish that would not be detrimental to the schedule.

- The central, eastern, and western canals were considered low quality, as they were mostly managed systems.
- The original proposal identified 20 feet on either side of the canal as a buffer zone, but after review, the Planning Commission recommended eliminating the buffer on those canals with more defined edges.
- The ordinance does have provisions that allows for maintenance of existing structures and replacement of existing structures.
- The wetlands do provide a community benefit as far as the aesthetics and the contribution to the recreational environment with paths along some of these features. In addition to flood control, those were the other reasons the Planning Commission recommended that they be protected locally.
- All of the wetlands are considered locally significant, and the question before the Council was balancing the benefits of these features versus the potential impacts that regulations might have and determining if the City needed to protect these or not.

Councilors Christensen, Nelson, and Crenshaw expressed their desire to go forward with the amendments, as recommended by the Planning Commission.

Councilor Sumner stated that he would like to move forward, with the option of removing the canals from the overlay and having no local control.

Councilor DiMarco noted that the proposal would be stronger, if it went forward with a unanimous vote from the Council. He continued that by removing the low priority canals from the overlay and using easements to cover the flood control, they would be going forward with a much stronger proposal.

Mayor Brunscheon stated that the Planning Commission and staff had done a tremendous amount of work, but because of the public comments that had been received, he would encourage the Council to remove the WRD overlay from the lower functioning wetlands.

**MOTION:** Councilor DiMarco made a motion to remove the low quality wetland ditches from the overlay. The motion was seconded by Councilor Sumner and failed by a vote of 2 to 3, with Councilors Sumner and DiMarco voting in favor and Councilors Nelson, Christensen, and Crenshaw voting against.

**IV. ORDINANCE No. 1 – AN ORDINANCE AMENDING ORDINANCE No. 830 ADOPTING THE CITY OF JUNCTION CITY'S COMPREHENSIVE PLAN TEXT AND MAP (AND AS SUBSEQUENTLY AMENDED); AND AMENDING JUNCTION CITY MUNICIPAL CODE TITLE 17, THE CITY OF JUNCTION CITY'S ZONING AND LAND USE TEXT AND MAP.**

Attorney Connelly read Ordinance No. 1 in full.

**MOTION:** Councilor Nelson made a motion to read Ordinance No. 1 by title only. The motion was seconded by Councilor Christensen and passed by unanimous vote of the Council.

Attorney Connelly read Ordinance No. 1 by title only.

**MOTION:** Councilor Christensen made a motion to adopt Ordinance No.1. The motion was seconded by Councilor Nelson and passed by unanimous vote of the Council.

**V. COUNCILOR COMMENTS/QUESTIONS**

None.

**VI. MAYOR'S COMMENTS**

Mayor Brunscheon thanked Councilor Sumner for participating in the meeting via phone/Skype. He expressed appreciation to the Council, Planning Commission, and staff

for all the hard work. He thanked the public for their comments and for participating in government. He noted that public attendance at meetings was desired and welcomed.

**VII. ADJOURNMENT**

As there was no further business, the meeting was adjourned at 7:57 p.m.

ATTEST:

APPROVED:

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Kitty Vodrup, City Recorder

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David S. Brunscheon, Mayor