

The Junction City Planning Commission met in regular session on Tuesday, October 17, 2023, at 6:30 p.m. in the Council Chambers at City Hall, 680 Greenwood Street, Junction City Oregon and remotely via internet and phone.

PRESENT WERE Planning Commission Chair Jeff Haag, Commissioners, James Hukill (Vice-Chair), Jim Creech; Doug Easterday; and Chris Miles; Public Works Director Gary Kaping; Chloe Trifilio, Assistant Planner, Lane Council of Governments; City Attorney Armand Resto-Spotts; and Dawn Northey, Planning Commission Secretary.

ABSENT: Jesse Newman (Excused), Alternate Albert Williams (Excused), Alternate, Vanessa Brown

1. Open Meeting

Chair Haag opened the meeting at 6:30 pm and said the Pledge of Allegiance.

2. Changes To The Agenda

No changes to the agenda

3. Public Comment (for Items Not Already on The Agenda)

Chair Haag opened comments for items not already on the agenda. No comments were presented.

4. APPROVAL OF MINUTES

- **July 18, 2023**
- **August 16, 2023**

MOTION: Commissioner Hukill made a motion to approve the July 18, 2023 Planning Commission minutes as written. Commissioner Creech seconded the motion.

MOTION: Commissioner Hukill made a motion to approve the August 16, 2023 Planning Commission minutes as written. Commissioner Creech seconded the motion.

VOTE: Passed by a vote of 5:0:0. Chair Haag, Vice-Chair Hukill, Commissioners, Creech, Easterday, and Miles voted in favor.

5. ROLLING MEADOWS PHASES 5-6 PRELIMINARY SUBDIVISION (SUB-23-28)

This is a Type II Limited Land Use decision; no script or public comment is required.

Chair Haag called for the staff report:

The project that was originally seen was the original Rolling Meadows Planned Unit Development application (PUD-19-01), then the Rolling Meadows PUD Major modification (PUD-23-24). The planned unit development was seen a couple of times and phase one was also preliminary and final plated. We have now jumped from phase one to phase five and six.

The applicant was seeking preliminary approval for the subdivision of the subject properties into 132 lots, ranging from 3,433 square feet to 44,924 square feet in size. Phase 5 consists of 11.95 acres (36 Medium Density lots and 41 Low Density lots), Phase 6 consists of 7.84 acres (1 High Density lot and 55 Medium Density lots).

When they referred to low, medium, and high density that was equivalent of R1, R2, and R3 of zoning. Calling them low, medium, and high are plan designations. We will be considering them R1 –single family development; R2 - Duplexes and now single family attached homes, and high density was the R3 multi-family residential in the zoning code, so they are planning to have multi-unit apartments in the Northeast corner of that subdivision of Phase five.

Planner Trifilio did not have specific things to point out in the staff report. Staff has received one public comment that had concerns about noise and construction practices, but staff did not see anything that applied to criteria that was reviewed this evening. Referral comments were received from the water control district, Lane County transportation planning because the subdivision was to be directly adjacent to the west of Oaklea Drive which was a Lane County Road so they were in charge of requiring updates and making sure that adding impacts on the road through higher density developments was being taken care of by the developer. This round will include improving some crosswalk infrastructure and half of Oaklea Drive for a certain section closer to the 10th intersection. They go through that in the conditions of approval as well as in the Lane County Transportation comments from Becky Taylor. The Emerald Utility District commented as well.

The preliminary subdivision criteria have been met with respect to exceptions that have already been allowed for lot widths, depths, setbacks, and frontage minimums in the R1 and R2 zones. The conditions of approval are kind of heavily relied upon to make sure the details are shown on the final plat. Planner Trifilio felt we should double check everything from the typical requirements for fill on the lots, to making sure we know where all the utility easements are going, as well as everything the referral comments proposed. There was a park proposed in this phase five and six development. They were required to have a pedestrian

pathway along that park although it was denoted as a dotted line on the preliminary plat. During final plat as long as it is included, we would like more information on that because it was an extra long block where there was a cul-de-sac so Oaklea would be more than 600 feet which was an exception from the typical criterion. That was also laid out in the PUD that you have seen before. In the PUD conditions of approval, it did mention that the bigger park, an open space, and also one of the storm water retention that you see along the western side of the PUD as a whole was supposed to be improved by phase three however they are skipping phases two, three, and four so Planner Trifilio recommended that the applicant give an update on what the overall improvement plan for the Planned Unit Development would be. Staff finds that the amount of street connectivity, adding more information on the storm water upon final plat, that there are no other major exceptions to point out. Planner Trifilio asked commissioners if they had questions.

Chair Haag inquired if the streets and Oaklea improvements were the improvements scheduled for phase two and three or were they put off now until they come back to do that work or do those still need to be done. Planner Trifilio stated that the improvements were not tied to the same phases for the street because they were not abutting Oaklea.

The comments from Lane County were thirty pages long. Planner stated they did a nice job summarizing their schedule, there was a table in their comments. Chair Haag said he wanted to make sure that all the criteria had been met and that people were happy with the transportation aspect. Planner Trifilio confirmed that they were happy. Public Works Director, Gary Kaping commented that the city of Junction City would eventually be taking over care of Oaklea. Director Kaping stated we like them to bring the public improvements up (sidewalk, curb, and gutters) before we take them over. We like to see all that in so that we are not putting that burden on our taxpayers.

Commissioner Hukill asked the following: Apartment on lot 308 which was in phase three where was that apartment going to go? The only high density proposed zoning was on the northeast corner of phase six and the whole PUD. So that was the only place they could have that apartment.

Commissioner Hukill asked what solar energy protection means on page 129. Planner Trifilio stated that portion was the applicant's narrative for how they were meeting criteria for the planned unit development. These items were addressed in the PUD and modification.

Chair Haag asked if the applicants had any additional information they wished to share.

Lani Hickey, Rhine-Cross group, LLC Klamath Falls, 24241 Old Malin Hwy, Merrill OR 97633.

When the PUD was first approved and agreed upon through the Planning Commission there were only so many acres for low density which was R1 so many acres for medium density and one for high density which was the potential apartment. There was only one R3 lot which was in phase six, one of the phases presented tonight. For the conditions before you tonight you can see what was identified for improvements and the applicant was good with these improvements moving forward with phases 5 and 6.

It was the owner's decision to jump to phases five and six, but they will go back to phase two. That will complete the park that crosses over phase one and phase two in that section. There is a park included. The park area that was required for this PUD for the exceptions that were asked for and granted with reduced lot frontage and setback and so on the park area that was approved was sufficient to allow those to be granted.

Mark Cross, Rhine-Cross Group, 112 N 5th Street Ste 200 Klamath Falls, OR. 97601 – There are three parks within the development not including all the open space on the west side. Phase one and phase two park are split between those two phases. Phase 5 and 6 are getting that bigger park on Oaklea, phase two has the entry park with more of an open space. Not planning on any park features for that park. On the conditions of approval # 13 condition has been adjusted to read as it was stated in Lane county's comments.

Motion: Commissioner Creech made a motion to approve with conditions as stated in the Rolling Meadows Preliminary Subdivision File (SUB-23-28) included in planning commission findings. Commissioner Easterday Seconded the motion.

VOTE: Passed by a vote of 5:0:0. Chair Haag, Vice-Chair Hukill, Commissioners, Creech, Easterday, and Miles voted in favor.

6. RESIDENTIAL FENCE CODE AMENDMENT (AMD-23-34)

Chair Haag opened the public hearing on (AMD-23-34), October 17, 2023, at 6:58 PM.

This hearing was for an application from Lennar Homes and others proposing to amend the junction city zoning code to allow a maximum 7 ft fence in residential rear and side yard for both interior lot and corner lots. This type IV legislative procedure will proceed according to state law and city regulations controlling public hearing procedures. The Planning Commission will make a

recommendation based on the complete record including the testimony received at tonight's hearing.

Chair Haag asked for the staff report:

Planner Trifilio stated this was a type IV application and the Planning Commission would be voting whether to recommend approval to City Council. This was a zone text amendment the application was to change the zoning code but also the diagram accompanying the zoning code specifically regarding the fencing code in residential zones and residential uses. We are talking about fences in all the residentially zoned zones.

The overall change in the actual substance of the text is that currently in what was called the side yard of a corner lot you still as long as you are abutting a public-facing street you still have to act like that street was a front yard and you cannot build over 3 ½ feet in height as if it were a front yard.

The proposal here of the updated text is that the 3 ½ ft maximum fence will apply in the front yard and then even if you are a corner lot abutting a public street you will still be allowed to have 7ft fencing in the side yard and rear yard up to the side yard property line and the rear yard property line.

Important things to point out were that all fences will still be required to meet the vision clearance requirements on corners. This means 30ft in on a corner lot you can still only have the 3 ½ ft height no matter what in order for a vehicle to see around when taking a turn on a public street, and it would not include a duplex residential use on a corner lot where primary vehicular access is taken off both streets, they are both considered front yards. They would not be side or rear yards at that point. In the side yard, they are proposing a 7ft maximum. The fencing materials code was the same. The front yard was overall the same. The change was the side yard and the rear yard.

This was a zone text amendment so there were not a lot of specific junction city municipal criteria that applied. The zone text amendment must comply with the Junction City Comprehensive plan, any Oregon statewide planning goals that shape our comprehensive plan, any statutes of administrative rules, and must be consistent with any Title 17 and other regulations that currently apply. Notice was sent out to every property owner in a residential zone, every property owner that has an assessed residential use on the property such as a dwelling, and 300 ft from every residential zone, over two thousand property owners were

noticed of this application. Staff received one comment from the building department that stated they had no issues with the proposal and then one from a member of the public that was in favor of the amendment. We received some comments that did not come in time. They had concerns about higher fences on a public road, the vision clearance standards will still apply.

Chair Haag asked members of the Planning Commission if they had any conflicts of interest in this matter to declare. There were no conflicts of interest to declare.

Chair Haag invited the applicant and others in favor to speak:

Kim O'Dey, 846 A Street, Springfield, OR 97477 representative for Metro Planning and Lennar NW appreciated all the supportive comments. Kim provided a Handout with an exhibit to help explain how limited and narrow the scope of this proposal was. This was a small amendment according to the representative as the exhibit showed. They are not dealing with the entirety of the side of the street just the orange area on the side of the house that would not give a lot of value to the community visually but more value to the property owner and their ability to go outside and use that space in a way that was a little more private than you would see in a front yard. The current code kind of creates this second-class citizen of lots where these corner lots some people do not want to buy them because so much of their exterior private space would be chewed up by the current 3 ft fencing and it was perceived as a safety issue by people. This code amendment makes this more consistent with some of the older developments here in Junction City, so they have that full tall fence. The purpose of this amendment was to allow development on corner lots to be consistent with interior lots of the city. It increases safety for the corner lots of the property owners, increases safety for these corner lots from other residents who are walking by, and provides full use and enjoyment that are consistent with other lots in the city that have two tall fences. It makes the code consistent with some of the past practices and development opportunities, and it maintains the character of Junction City while supporting full use of the lot. In addition, it addresses the unique safety requirements of corner lots by ensuring that no matter what we do the vision clearance still exists. The result was that corner lots would be treated like interior lots and would improve the quality of life by giving residents the opportunity to separate their living space from roads that the property owner does not take access off.

The existing fence code has several negative effects on community livability.

- Reduced fence height creates this wide-open area of visually open area that reduces people's use and enjoyment.

- A short fence can be jumped by a dog, a child, or a passer-by

Nick Knudsen, 1444 Farmington Drive, Junction City OR 97448 – Was in favor of the new fence code. Nick lives within The Reserve. He provided pictures to show how far back the fences were from the intersections. He stated there were no visual problems. Nick stated that many of the homes have already had taller fences built, which goes against the current code.

Chair Haag invited those who had neutral testimony to speak:
No comment

Chair Haag invited those opposed to the proposal to speak:
No comment

Chair Haag closed the public hearing at 7:30 PM

Motion: Commissioner Miles made a motion to recommend to City Council approval as amended of the proposed text amendment File # AMD-23-34 to allow fences up to 7ft tall in the rear and side yard of corner lots of Residential zoned properties based on the finding as stated amended in the final order. Commissioner Hukill seconded the motion.

VOTE: Passed by a vote of 5:0:0. Chair Haag, Vice-Chair Hukill, Commissioners, Creech, Easterday, and Miles voted in favor.

8. PLANNING COMMISSION AGENDA FORECASTER

The Commission reviewed the agenda forecaster.

9. COMMISSIONER COMMENTS

None

10. ADJOURNMENT

MOTION: Commissioner Hukill made a motion to adjourn the meeting. Commissioner Creech seconded the motion.

VOTE: Passed by a vote of 5:0:0. Chair Haag, Vice-Chair Hukill, Commissioners, Creech, Easterday, and Miles.

The meeting was adjourned at 7:38 PM

The next Standing Planning Commission meeting was scheduled for Tuesday November 21, 2023, at 6:30 p.m.

Respectfully Submitted,

Dawn Northey, Planning Commission Secretary

Jeff Haag, Planning Commission Chair