

JUNCTION CITY PLANNING COMMISSION

AGENDA ITEM SUMMARY



Minor Partition – 755 W 3rd Avenue (MP-20-11)

Meeting Date: October 21, 2020
Department: Planning
www.junctioncityoregon.gov

Agenda Item Number: 6
Staff Contact: Tere Andrews
Contact Telephone Number: 541.998.4763

ISSUE STATEMENT

The applicant requests a Minor Partition to divide an existing lot into two parcels.

BACKGROUND

This is an application for a minor partition on an existing, platted lot with frontage on West 3rd Avenue to the north and Maple Street to the west, in Junction City. This partition will divide one existing lot into two legal parcels. There are public utilities (i.e. water, sanitary sewer, storm sewer) available adjacent to the subject site or within the public right-of-way.

RELATED CITY POLICIES

16.05.030 (D)(3) Preliminary Partition

According to Section 16.05.030 (D)(3) of the Junction City Municipal Code, Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

PLANNING COMMISSION OPTIONS

- a. Approve the Minor Partition with conditions of approval and findings as stated in the proposed Final Order (MP-20-11).
- b. Approve the Minor Partition with changes to the conditions of approval and/or changes to the findings in the proposed Final Order (MP-20-11).
- c. Deny the Minor Partition with findings supporting the denial.
- d. Continue the discussion of the proposed Minor Partition if more information is needed.

SUGGESTED MOTION

"I make a motion to (approve with conditions as stated in the final order / approve with conditions as modified by the Planning Commission / deny with findings / continue) the Minor Partition for Tax Lot 00800 of Assessor's Map 15-04-32-33, File # MP-20-11."

ATTACHMENTS

- A. Staff Report
- B. Referral Comment Received (Lane County Surveyor)
- C. Proposed Final Order for Minor Partition (MP-20-11)
- D. Application Materials

FOR MORE INFORMATION

Staff Contact: Tere Andrews
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FINDINGS OF THE PLANNING DEPARTMENT:

755 WEST THIRD AVENUE MINOR PARTITION, FILE NUMBER: MP-20-11

Application Summary:

Minor Partition to create two (2) parcels out of one (1) legal lot.

Owner(s):

ACTA, PO Box 279, Junction City, OR 97448

Staff Contact:

Tere Andrews, Planning Technician, 541-998-4763, tandrews@ci.junction-city.or.us

Subject Property/Zoning/Location:

Tax Lot 08000 of Assessor's Map 15-04-32-33, Zoned CR, Commercial Residential, located at 755 West 3rd Avenue, Junction City.

Relevant Dates:

Application submitted on July 29, 2020; deemed complete on July 28, 2020; final staff report issued on October 14, 2020.

Present Request: This is an application for a Minor Partition on the southeast corner of West 3rd Avenue and Maple Street in the City of Junction City. The applicant is the property owner. The City is assisting in the process as Parcel 1 of the proposed two parcels would become City property. The existing lot contains a public utility easement in which a sewage pump station and a storm drainage swale are located. The remainder of the property is currently being used as commercial storage for RV's. This partition would divide the property into two parcels of 19,020 SF and 65,488 SF, subdividing the public facilities from the commercial area, respectively.

Public Notice and Referrals: Request for Public Comments on the proposed partition were sent to property owners within 300 feet of the subject site on August 27, 2020. As the date of this report, no concerns have been raised through the public comment process.

Referral comments on the application were requested from various affected service providers and City departments. All referral comments received by the Planning Department on this application are included in the application file for reference and addressed in the context of applicable approval criteria and standards in the following evaluation.

Relevant application requirements and approval criteria are addressed at JCMC 16.05.030 Minor Partition Procedures, and JCMC 16.05.050 Platting and Mapping Standards.

General Property Information: This is an application for a minor partition on an existing, platted lot with frontage on West 3rd Avenue to the north and Maple Street to the west, in Junction City. This partition will divide one existing lot into two legal parcels. There are public utilities (i.e. water, sanitary sewer, storm sewer) available adjacent to the subject site or within the public right-of-way.

Evaluation: The following findings demonstrate that the proposed tentative partition plan will comply with all applicable approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC). The approval criteria and related standards are listed below in bold, with findings addressing each. Various conditions of approval, final plat requirements, and informational items are included where appropriate.

Chapter 16.05 – Subdivisions

Section 16.05.030 – Minor Partition Procedure

(A) Application. An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city following procedures outlined in JCMC 17.150.070 and submitted to the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan.

Finding: The Preliminary Plan was submitted in accordance with this criterion. The 19-copy requirement has been waived based on the digital submittal. This criterion is met.

(B) Drafting. The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring 8 ½ by 11 inches. The scale will be 10, 20, 30, 40, 50, or 60 feet to the inch. The city superintendent of public works shall furnish such 8 ½ by 11-inch tracing sheets on request.

Finding: The application submittal included a preliminary plan drawn to scale as listed above along with a digital copy. Therefore, this criterion has been satisfied.

(C) Preliminary Plan Contents. The preliminary plan shall contain the following:

(1) The dimensions and parcel lines of all parcels.

Finding: The dimensions of the boundary and proposed parcel lines are shown on the attached plan. Therefore, this criterion has been satisfied.

(2) An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.

Finding: There are contiguous lands under the same ownership which are documented on the preliminary plan. The applicant owns adjacent Tax Lot 8202 to the east of the preliminary plan area as shown on the vicinity map. Therefore, this criterion is satisfied.

(3) The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to define the boundary thereof and the assessor's account number.

Finding: The date of the survey, north arrow, engineer's scale, legal description, and assessor's number are noted on the attached plan. Therefore, this criterion has been satisfied.

(4) Name, address and telephone number of the owner, the partitioner and engineer or surveyor.

Finding: The contact information for the property owner and the surveyor are noted on the plan. Therefore, these criteria have been satisfied.

(5) Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.

Finding: The attached preliminary plan includes location of the adjacent street network. In addition, the width of the existing streets, West 3rd Avenue and Maple Street are called out on the plan. Therefore, these criteria have been satisfied.

(6) The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.

Finding: Each of the two proposed parcels are labeled with a number and the dimensions of the parcel are shown on the plan. Therefore, the criteria are satisfied.

(7) The location of each building or structure above ground. Dimension distance to parcel lines being created.

Finding: The locations of all existing structures are shown on the preliminary plan. Therefore, the criteria are satisfied.

(8) The width and location of all easements for drainage or public utilities.

Finding: There are two existing public utility easements, recording numbers 2006-018288 & 2006-042226 shown on the proposed partition drawing. No easements are proposed as part of this preliminary plan. Therefore, the criteria are satisfied.

(9) In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:

(a) The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.

Finding: The plat was prepared by Darren S. Harr, an Oregon licensed Land Surveyor. His signature block indicates his review of, and affidavit, for this proposed Minor Partition. The subject site was also surveyed in 1947 by Francis Waggoner. Therefore, this criterion is met.

(b) The names of all recorded subdivisions contiguous to the subject area.

Finding: There are no recorded subdivisions contiguous to the subject site. Therefore, this criterion is met.

(c) The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if benchmarks are not adjacent. The following intervals are required:

Contour Intervals Ground Slope
One foot Up to 5 percent
Two feet Over 5 percent through 10 percent
Five feet Over 10 percent

Finding: Contour intervals are shown on the attached topographic preliminary plan submitted by the applicant.

(d) The approximate width and location of all proposed or existing public utility easements.

Finding: There are two existing Public Utility Easements shown on the preliminary plan (2006-018288 & 2006-042226). No additional easements are proposed with this application. Therefore, this criterion is met.

(e) The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.

Finding: An existing drainageway crosses the southeast corner of the subject site, a portion of proposed Parcel 1, which controls stormwater. Therefore, there are no areas of overflow. Thus, this criterion has been met.

(f) All proposals for sewage disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainageways.

Finding: No drainageways have been proposed with this application. Therefore, the criterion does not apply.

(g) All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in Section [5(A) (3)] of this ordinance. Said reserve strips shall be clearly indicated on the proposed partition.

Finding: No public areas have been proposed with this application. Therefore, the criterion does not apply.

(h) All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

Finding: No public improvements have been proposed with this application. Therefore, the criterion does not apply.

(i) A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

Finding: Legal boundaries are described as shown on the attached survey from TerraCalc Land Surveying. Therefore, this criterion has been met.

(D) Preliminary Plan Review.

(1) City Superintendent of Public Works Review. The superintendent of public works shall review the preliminary plan and forward any comments he may have about the plan and send the original plan and seven copies to the planning commission for action, retaining one copy for his file.

Finding: The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision. The Public Work Director has reviewed the application and had no comment or concerns related to the proposed minor partition.

(2) Planning Commission Review.

(a) The planning commission shall approve the plan or ask for further information from the partitioner.

Finding: The applicant understands that the Planning Commission is the approval authority for minor partitions in the City of Junction City.

(b) Approval findings. Approval of the plan must include affirmative findings that:

(i) Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder of any adjoining land or access thereto.

Finding: The owner, ACTA, owns an adjacent parcel, Tax Lot 8202. This partition does not propose any easements as part of the application. This partition application will not impede the future best use of Tax Lot 8202. Therefore, this criterion has been satisfied.

(ii) The minor partition complies with Junction City policies and plans as well as the intent and purpose of JCMC 16.05.010.

Finding: The subject property is zoned CR, Residential Commercial. There are no future development plans for the new parcel. However, any future development plans would be required to comply with Chapter 17.40 of the Junction City Municipal Code (JCMC) and be consistent with the comprehensive plan designation of Commercial. Furthermore, this minor partition application will ensure the proper and orderly development of the subject site. The proposed parcel will be served by the public wastewater systems, as well as, be provided all other utilities. This partition complies with the intent and purpose of the partition and subdivision ordinance.

The applicant understands that future development will be subject to the standards required by Junction City Municipal Code Titles 16 and 17. These standards will be addressed at the time of building permit.

(iii) Either:

(A) Improvements as required by the city and this code have been completed, and a certificate of fact has been filed with the planning department by the city engineer; or

(B) A performance agreement (bond), or suitable substitute, as agreed upon by the applicant and the city, has been filed with the city recorder in sufficient amount to insure the completion of all required improvements; or

(C) A petition for improvements has been properly executed by the partitioner who is effecting the partition and will be assessed for said improvements.

Finding: No development is proposed at this time. As such, there are no proposed public improvements with this minor partition application. If the Planning Commission decides that a petition for future public improvements is required, then the property owner shall comply with such a condition of approval.

(iv) The minor partition tentative plan is accompanied by five accurate copies thereof; and

Finding: Two (2) copies of the preliminary partition plan, and a digital copy were submitted with the application. Therefore, the criterion can be satisfied.

(v) Public assessments, liens, utility charges and fees with respect to the minor partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the council. Except as provided for in the procedures for modification as stipulated in JCMC 16.05.070, approval as stipulated herein does not relieve the applicant from other applicable provisions of this ordinance or Oregon Revised Statutes.

Finding: No public assessments, liens, utility charges, or other fees are known to exist with respect to this property. This criterion is not applicable. However, if any new fees or assessments are found, the owners shall pay the fees prior to recording the final plat.

(vi) Minor partition applications for land occupied by existing buildings shall show the location of buildings and give dimensions to existing and proposed lot lines.

Finding: The subject property has one existing building. Dimensions to existing and proposed lot lines are shown on the plan set. Therefore, this criterion has been met.

(3) Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that approval of the plan will be signified by a signature of the Planning Commission Chair on the plat prior to recording with Lane County.

(4) Notification by Commission. When such a plan is approved, conditionally approved or disapproved by the commission, it shall forthwith deliver in person or by mail a copy of such plan with the action thereon to the person having filed the plan. Such action by the commission shall become final in the absence of any appeal. Copies of the plan with the action thereon shall be delivered to the Lane Council of Governments, and the commission shall retain the original copy thereof in the office of the city engineer.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that notification will be made of the Planning Commission decision.

(5) Unless appealed, the planning commission's decision shall become effective on the eleventh day after it is rendered.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that the Planning Commission decision will be effective on the eleventh day after the decision is issued.

(E) Appeal to the Council. If any person filing a minor partition plan is dissatisfied with the action of the planning commission, he may, no later than 12 days after such action by the commission, appeal in writing to the council and file same with the council.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that any possible appeal of the Planning Commission decision will be heard by the City Council.

(F) Limitation of Appeal. The conditional approval of such plan shall be valid for a period of one year from the date of final action thereon. During said period, all the conditions of approval shall be met. Such conditional approval may be extended for a period not to exceed one additional year by the council, upon written request; provided, such request is made prior to the expiration of the one-year period.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that a minor partition approval is valid for one year.

(G) Ownership Verification of Dedications. In the event approval of a minor partition is conditioned upon the dedication of a portion of the area to the public, the applicant shall submit to the public works department a title report issued by a title insurance company licensed in the state of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public.

Finding: There are no proposed dedications with this partition application; thus, this requirement should not be applicable.

(H) Expedited Land Divisions. All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Junction City comprehensive plan. ORS 197.360 through 197.380 details criteria, application

and notice requirements and action and appeal procedures for expedited land divisions.

Finding: This minor partition application is not being requested to be reviewed as an expedited land division; thus, this standard does not apply.

Section 16.05.050 - Platting and Mapping Standards

(A) Streets.

Finding: Proposed Parcel 1 and Parcel 2 are adjacent to West 3rd Avenue on the north and Maple Street on the west. There are existing public street access points on both West 3rd Avenue and Maple Street. As proposed, Parcel 1 would take access from the West 3rd Avenue, and Parcel 2 from Maple Street. There are no proposed streets because the adjacent properties are already developed and do not need a street stub from this property. West 3rd Avenue and Maple Street are both Junction City facilities. Therefore, if or when a land division or other development is proposed, the City may require dedications of right-of-way or easements and improvements necessary to meet the applicable road design standards of the City of Junction City Public Works Design Standards.

(B) Alleys.

Finding: No alleys are proposed with this application. Therefore, these criteria do not apply.

(C) Blocks.

Finding: No blocks are proposed with this application. Therefore, these criteria do not apply.

(D) Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least 5 feet in height, and shall be setback at least 3 feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum 2-inches in caliper at planting) shall be provided for each 50 lineal feet of street 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: As proposed the rear yards of Parcel 1 or Parcel 2 will not abut existing or planned streets. Therefore, these criteria are not applicable.

(E) Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

(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.

Finding: Both proposed parcels will have an average width of over 60 feet. Parcel 1 will have an average width of 250 feet. Parcel 2 will have an average width of 260.43 feet. Therefore, the criteria have been met.

(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 2 ½ 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.

Finding: As proposed Parcel 2 will front Maple Street and have an average depth of 250-feet. Parcel 1 is proposed to have double frontage along West 3rd Avenue and Maple Street. From the Maple Street side of the parcel, the average lot depth would be 250-feet. The average lot depth from the West 3rd side of the parcel, will be 77.61-feet, less than the 120-foot standard stated above. However, the Planning Commission may approve a lesser depth where topographic conditions necessitate. Post division, the City will take possession of Parcel 1 which contains a City pump station and drainage way. As proposed, the partition follows the existing drainage way and while the proposed configuration would create a lot depth on the West 3rd Avenue site of less than 120-feet, it would preserve the larger Parcel 2 for possible future development and preserve the future best use of the subject site. Therefore, this standard can be sufficiently addressed.

(iii) Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

Finding: Per Section 17.40.030 of the JCMC, the minimum lot size for Commercial is 5,000 square feet. Parcel 1 is proposed at 19,020 square feet post division. Parcel 2 is proposed at 65,488 square feet post division. Therefore, this criterion has been addressed.

(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.

Finding: As proposed, Parcels 1 and 2 will have frontage along West 3rd Avenue and Maple Street, respectively. Parcel 1 will have 250-feet of frontage along West 3rd Avenue. Parcel 2 will have 299+ feet of frontage along Maple Street. Therefore, the parcels exceed the above standard, and this criterion has been met.

(v) Reverse Frontage.

(A) Lots that front on more than on 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.

Finding: As proposed Parcel 1 would have frontage on both West 3rd Avenue and Maple Street. Maple Street is classified as a Neighborhood Collector, and West 3rd Avenue as a Local Street (lower classification). Parcel 1 is developed with a City pump station. Vehicular access is from West 3rd Avenue. Parcel 2 has an existing access point from Maple Street. No additional vehicle access points are proposed with this application. This is an application for a Minor Partition. No Subdivisions are being proposed. As shown on the submitted partition plan, the above criterion has been adequately addressed.

(b) Exceptions.

(i) Partitioned 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 partitioned 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 partitioned 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 ordinance.

(ii) Land zoned for commercial or industrial use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.

(iii) Parcel or lot retained for future partition or subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.

Finding: No exceptions to the standards are being requested in this application; thus, this criterion is not applicable.

(2) Key parcels or lots and butt parcels or lots. There shall be no key parcels or lots or butt parcels or lots, except where authorized by the planning commission here such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.

Finding: No key or butt lots are being requested in this application; thus, this criterion is not applicable.

(3) Parcel and lot side lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.

Finding: The parcel lot side lines are, as far as practical, at right angles to the street upon which the parcels face to the greatest extent possible. Therefore, this criterion is satisfied.

(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 ordinance.

Finding: The proposed Parcels are large enough in area and suitable for Commercial development, as envisioned by the Junction City Comprehensive Plan and parent zoning. No parcel size will be detrimental to public health and safety. Therefore, these criteria are satisfied.

(5) Future partitioning or subdivision of parcels or lots. Where the partition or subdivision will result in a parcel or lot ½ 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 ordinance 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 preliminary partition application proposes the creation of two (2) parcels out of one (1) legal lot. No development plans were submitted with this application. Proposed Parcel 1 will be less than 0.50 acres in size (19,020 sq. ft.). Parcel 2 will be approximately 1.5 acres (65,488 sq. ft.) with 299.98-feet of frontage along Maple Street. Any future partition or subdivision will require compliance with applicable sections of Title 16, and Title 17 of the Junction City Municipal Code. Therefore, the criteria have been adequately addressed.

(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.

Finding: No panhandle lots are being requested in this application. Therefore, subsections under JCMC 16.05.050(E)(6) do not apply.

(F) Drainage. Where land in the partitioned or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any watercourse, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefore approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

Finding: Impervious runoff from the pump station on the existing Parcel, is conveyed to the stormwater system on West 3rd Avenue via existing drainage lines. Other surface runoff, from the existing parcel, is infiltrated into the surrounding soil. No watercourses, channels, streams, or creeks are found on the existing Parcel. There are no future development plans for either proposed Parcel however any future use will be required to comply with those uses permitted outright per Junction City Municipal Code (JCMC), Title 17 and meet standards of Section 16.05.050(E)(6). Therefore, no additional drainage easements are necessary to accommodate stormwater drainage at this time. This criterion has been adequately addressed.

(G) Railroads.

Finding: There are no railroads adjacent to the proposed partition; thus, this section is not applicable. Therefore, subsections under JCMC 16.05.050(G) do not apply.

(H) Partial development. Where the partitioned 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 partitioner does not propose any development plans with this application. However, any future development will be required to comply with Section 16.05.050(H). This criterion has been adequately addressed.

(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 everyone hundred 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: This application is for a minor partition and not a subdivision; thus, this standard is not applicable.

(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 Oregon Structural, Specialty and Fire and Life Safety Code.

Finding: Proposed Parcel 1 is developed with a City pump station and drainage way. Proposed Parcel 2 of the subject property is fairly flat and no development is proposed with this application for minor partition; however, at the time of any future development, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code. Thus, this criterion has been adequately addressed.

(K) Finish floor elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.

Finding: The property owner and applicant understand this final plat standard.

(L) Utility access. All accesses to utilities are to be brought to finish grade.

Finding: All of the accesses to exiting utilities were constructed to finished grade. Thus, this criterion has been adequately addressed.

Conclusion:

Based upon the available information and findings set forth above, it is concluded that the proposed Minor Partition (MP-20-11) conditionally complies with the applicable approval criteria and related standards set forth within the JCMC. Staff recommends Conditional Approval of the applicant's Minor Partition Application.

For more information on the Planning Department conditions above, contact Tere Andrews, Junction City Planning Technician at 541-988-4763, or by email at: jcplanning@ci.junction-city.or.us

August 28, 2020

Surveyor's Office Comments

Prepared By: Ben Hanke-Hills

ACTA

MP-20-11

15-04-32-33-08000

- 1) The subject property was surveyed in 1947 by Francis Waggoner in 1947.
- 2) The subject property has frontage along Maple Street (County Road No. 63) and W. 3rd Avenue. Both Maple Street and W. 3rd Avenue are 60' wide.
- 3) Access easements and any other existing or proposed easements must be shown on the Final Plat along with the necessary recording information. Any easement created through the partition process must be declared in the owner's declaration.
- 4) The final plat should show fence lines or other signs of occupation that appear to encroach or be in conflict with the monumented boundaries.
- 5) The proposed boundary lines for Parcel 1 & Parcel 2 must be surveyed and monumented as required for all parcels of 10 acres or less pursuant ORS Chapter 92.
- 6) A paper review-copy of the final plat should be submitted to the Lane County Surveyor's Office, along with other submittal requirements as noted in the "Plat Submittal Checklist". The final plat must be prepared by a land surveyor registered in the State of Oregon and conform to ORS Chapters 92 and 209.250 as well as Lane Code Chapter 13.

**FINAL ORDER OF THE
JUNCTION CITY PLANNING COMMISSION
MINOR PARTITION (MP-20-11), 755 W 3rd Avenue**

A. The Junction City Planning Commission finds the following:

- a. Darren S. Harr of TerraCalc Lane Surveying, Inc. submitted an application and a minor partition plan on behalf of the applicants, ACTA, and the City of Junction City, as required by 16.05.030 (A) and (B) of the Junction City Municipal Code for the partition of tax lot 00800, Lane County Assessor's map 15-04-32-33. The applicant proposes to divide tax lot 00800 into two parcels of 19,020 square feet and 65,488 square feet respectively.
- b. The Junction City Planning Commission reviewed all material relevant to the minor partition that were submitted or presented by the applicant, staff, other agencies, and the general public regarding this matter at the standing Planning Commission meeting on October 21, 2020.
- c. The Junction City Planning Commission followed the required procedure and standards of approving partitions as required by 16.05.030(D)(2) the Junction City Municipal Code.

B. Conditions of Approval:

1. The applicant shall record the plat with Lane County Deeds and Records and the County Surveyor.
2. A copy of the recorded partition shall be supplied to the City.

C. IT IS HEREBY ORDERED THAT the Junction City Planning Commission approves the partition for Tax Lot 00800 of Assessors' Map 15-04-32-33 with the conditions of approval listed above based on the following findings of fact. The findings of fact are based on the preliminary plat, which is attached.

The following FINDINGS demonstrate that the proposed minor partition, as conditioned **will comply with all applicable approval criteria and related standards, as set forth in JCMC Chapter 16.05. The application approval criteria and related standards are listed below in bold**, with FINDINGS addressing each standard, various conditions of approval, final plan requirements and informational items are included where appropriate.

Section 16.05.030 – Minor Partition Procedure

(A) Application. An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city following procedures outlined in JCMC 17.150.070 and submitted to

the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan.

Finding: The Preliminary Plan was submitted in accordance with this criterion. The 19-copy requirement has been waived based on the digital submittal. This criterion is met.

(B) Drafting. The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring 8 ½ by 11 inches. The scale will be 10, 20, 30, 40, 50, or 60 feet to the inch. The city superintendent of public works shall furnish such 8 ½ by 11-inch tracing sheets on request.

Finding: The application submittal included a preliminary plan drawn to scale as listed above along with a digital copy. Therefore, this criterion has been satisfied.

(C) Preliminary Plan Contents. The preliminary plan shall contain the following:

(1) The dimensions and parcel lines of all parcels.

Finding: The dimensions of the boundary and proposed parcel lines are shown on the attached plan. Therefore, this criterion has been satisfied.

(2) An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.

Finding: There are contiguous lands under the same ownership which are documented on the preliminary plan. The applicant owns adjacent Tax Lot 8202 to the east of the preliminary plan area as shown on the vicinity map. Therefore, this criterion is satisfied.

(3) The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to define the boundary thereof and the assessor's account number.

Finding: The date of the survey, north arrow, engineer's scale, legal description, and assessor's number are noted on the attached plan. Therefore, this criterion has been satisfied.

(4) Name, address and telephone number of the owner, the partitioner and engineer or surveyor.

Finding: The contact information for the property owner and the surveyor are noted on the plan. Therefore, these criteria have been satisfied.

(5) Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.

Finding: The attached preliminary plan includes location of the adjacent street network. In addition, the width of the existing streets, West 3rd Avenue and Maple Street are called out on the plan. Therefore, these criteria have been satisfied.

(6) The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.

Finding: Each of the two proposed parcels are labeled with a number and the dimensions of the parcel are shown on the plan. Therefore, the criteria are satisfied.

(7) The location of each building or structure above ground. Dimension distance to parcel lines being created.

Finding: The locations of all existing structures are shown on the preliminary plan. Therefore, the criteria are satisfied.

(8) The width and location of all easements for drainage or public utilities.

Finding: There are two existing public utility easements, recording numbers 2006-018288 & 2006-042226 shown on the proposed partition drawing. No easements are proposed as part of this preliminary plan. Therefore, the criteria are satisfied.

(9) In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:

(a) The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.

Finding: The plat was prepared by Darren S. Harr, an Oregon licensed Land Surveyor. His signature block indicates his review of, and affidavit, for this proposed Minor Partition. The subject site was also surveyed in 1947 by Francis Waggoner. Therefore, this criterion is met.

(b) The names of all recorded subdivisions contiguous to the subject area.

Finding: There are no recorded subdivisions contiguous to the subject site. Therefore, this criterion is met.

(c) The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if benchmarks are not adjacent. The following intervals are required:

Contour Intervals Ground Slope

One foot Up to 5 percent

Two feet Over 5 percent through 10 percent

Five feet Over 10 percent

Finding: Contour intervals are shown on the attached topographic preliminary plan submitted by the applicant.

(d) The approximate width and location of all proposed or existing public utility easements.

Finding: There are two existing Public Utility Easements shown on the preliminary plan (2006-018288 & 2006-042226). No additional easements are proposed with this application. Therefore, this criterion is met.

(e) The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all water courses.

Finding: An existing drainageway crosses the southeast corner of the subject site, a portion of proposed Parcel 1, which controls stormwater. Therefore, there are no areas of overflow. Thus, this criterion has been met. intervals.

(f) All proposals for sewage disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainageways.

Finding: No drainageways have been proposed with this application. Therefore, the criterion does not apply.

(g) All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in Section [5(A) (3)] of this ordinance. Said reserve strips shall be clearly indicated on the proposed partition.

Finding: No public areas have been proposed with this application. Therefore, the criterion does not apply.

(h) All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

Finding: No public improvements have been proposed with this application. Therefore, the criterion does not apply.

(i) A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

Finding: Legal boundaries are described as shown on the attached survey from TerraCalc Land Surveying. Therefore, this criterion has been met.

(D) Preliminary Plan Review.

(1) City Superintendent of Public Works Review. The superintendent of public works shall review the preliminary plan and forward any comments he may have about the plan and send the original plan and seven copies to the planning commission for action, retaining one copy for his file.

Finding: The applicant understands that city staff will first review the preliminary partition plan prior to the Planning Commission deliberating and rendering a decision. The Public Work Director has reviewed the application and had no comment or concerns related to the proposed minor partition.

(2) Planning Commission Review.

(a) The planning commission shall approve the plan or ask for further information from the partitioner.

Finding: The applicant understands that the Planning Commission is the approval authority for minor partitions in the City of Junction City.

(b) Approval findings. Approval of the plan must include affirmative findings that:

(i) Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and healthful development of such remainder of any adjoining land or access thereto.

Finding: The owner, ACTA, owns an adjacent parcel, Tax Lot 8202. This partition does not propose any easements as part of the application. This partition application will not impede the future best use of Tax Lot 8202. Therefore, this criterion has been satisfied.

(ii) The minor partition complies with Junction City policies and plans as well as the intent and purpose of JCMC 16.05.010.

Finding: The subject property is zoned CR, Residential Commercial. There are no future development plans for the new parcel. However, any future development plans would be required to comply with Chapter 17.40 of the Junction City Municipal Code (JCMC) and be consistent with the comprehensive plan designation of Commercial.

Furthermore, this minor partition application will ensure the proper and orderly development of the subject site. The proposed parcel will be served by the public wastewater systems, as well as, be provided all other utilities. This partition complies with the intent and purpose of the partition and subdivision ordinance.

The applicant understands that future development will be subject to the standards required by Junction City Municipal Code Titles 16 and 17. These standards will be addressed at the time of building permit.

(iii) Either:

- (A) Improvements as required by the city and this code have been completed, and a certificate of fact has been filed with the planning department by the city engineer; or**
(B) A performance agreement (bond), or suitable substitute, as agreed upon by the applicant and the city, has been filed with the city recorder in sufficient amount to insure the completion of all required improvements; or
(C) A petition for improvements has been properly executed by the partitioner who is effecting the partition and will be assessed for said improvements.

Finding: No development is proposed at this time. As such, there are no proposed public improvements with this minor partition application. If the Planning Commission decides that a petition for future public improvements is required, then the property owner shall comply with such a condition of approval.

- (iv) The minor partition tentative plan is accompanied by five accurate copies thereof; and**

Finding: Two (2) copies of the preliminary partition plan, and a digital copy were submitted with the application. Therefore, the criterion can be satisfied.

- (v) Public assessments, liens, utility charges and fees with respect to the minor partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the council. Except as provided for in the procedures for modification as stipulated in JCMC 16.05.070, approval as stipulated herein does not relieve the applicant from other applicable provisions of this ordinance or Oregon Revised Statutes.**

Finding: No public assessments, liens, utility charges, or other fees are known to exist with respect to this property. This criterion is not applicable. However, if any new fees or assessments are found, the owners shall pay the fees prior to recording the final plat.

- (vi) Minor partition applications for land occupied by existing buildings shall show the location of buildings and give dimensions to existing and proposed lot lines.**

Finding: The subject property has one existing building. Dimensions to existing and proposed lot lines are shown on the plan set. Therefore, this criterion has been met.

- (3) Approval. In the event the planning commission finds that the plan complies with the statutes of the state and with this and all ordinances of the city, it shall approve the plan and signify its action on the face thereof by appropriate signature of the commission. In the event the commission finds that the plan cannot be made to comply with such requirements, it**

shall disapprove the plan and signify its action in the same manner as in approval. The commission may make approval subject to conditions to be fulfilled by the petitioner.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that approval of the plan will be signified by a signature of the Planning Commission Chair on the plat prior to recording with Lane County.

(4) Notification by Commission. When such a plan is approved, conditionally approved or disapproved by the commission, it shall forthwith deliver in person or by mail a copy of such plan with the action thereon to the person having filed the plan. Such action by the commission shall become final in the absence of any appeal. Copies of the plan with the action thereon shall be delivered to the Lane Council of Governments, and the commission shall retain the original copy thereof in the office of the city engineer.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that notification will be made of the Planning Commission decision.

(5) Unless appealed, the planning commission's decision shall become effective on the eleventh day after it is rendered.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that the Planning Commission decision will be effective on the eleventh day after the decision is issued.

(E) Appeal to the Council. If any person filing a minor partition plan is dissatisfied with the action of the planning commission, he may, no later than 12 days after such action by the commission, appeal in writing to the council and file same with the council.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that any possible appeal of the Planning Commission decision will be heard by the City Council.

(F) Limitation of Appeal. The conditional approval of such plan shall be valid for a period of one year from the date of final action thereon. During said period, all the conditions of approval shall be met. Such conditional approval may be extended for a period not to exceed one additional year by the council, upon written request; provided, such request is made prior to the expiration of the one-year period.

Finding: A copy of this staff report has been provided to the applicant. Therefore, the applicant has been made aware that a minor partition approval is valid for one year.

(G) Ownership Verification of Dedications. In the event approval of a minor partition is conditioned upon the dedication of a portion of the area to the public, the applicant shall submit to the public works department a title report issued by a title insurance company licensed in the state of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public.

Finding: There are no proposed dedications with this partition application; thus, this requirement should not be applicable.

(H) Expedited Land Divisions. All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Junction City comprehensive plan. ORS 197.360 through 197.380 details criteria, application and notice requirements and action and appeal procedures for expedited land divisions.

Finding: This minor partition application is not being requested to be reviewed as an expedited land division; thus, this standard does not apply.

Section 16.05.050 - Platting and Mapping Standards

(A) Streets.

Finding: Proposed Parcel 1 and Parcel 2 are adjacent to West 3rd Avenue on the north and Maple Street on the west. There are existing public street access points on both West 3rd Avenue and Maple Street. As proposed, Parcel 1 would take access from the West 3rd Avenue, and Parcel 2 from Maple Street. There are no proposed streets because the adjacent properties are already developed and do not need a street stub from this property. West 3rd Avenue and Maple Street are both Junction City facilities. Therefore, if or when a land division or other development is proposed, the City may require dedications of right-of-way or easements and improvements necessary to meet the applicable road design standards of the City of Junction City Public Works Design Standards.

(B) Alleys.

Finding: No alleys are proposed with this application. Therefore, these criteria do not apply.

(C) Blocks.

Finding: No blocks are proposed with this application. Therefore, these criteria do not apply.

(D) Perimeter Fences. Perimeter fences shall be required where rear yards abut an existing or planned street. The perimeter fence shall be sight-obscuring and at least 5 feet in height, and shall be setback at least 3 feet from the sidewalk or right-of-way. At least one deciduous shade tree (a minimum 2-

inches in caliper at planting) shall be provided for each 50 lineal feet of street 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: As proposed the rear yards of Parcel 1 or Parcel 2 will not abut existing or planned streets. Therefore, these criteria are not applicable.

(E) Lots. Lot sizes in mobile home subdivisions shall conform to the provisions of Chapter 17.100 JCMC, Mobile Homes, rather than this subsection (E).

(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.

Finding: Both proposed parcels will have an average width of over 60 feet. Parcel 1 will have an average width of 250 feet. Parcel 2 will have an average width of 260.43 feet. Therefore, the criteria have been met.

(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 2 ½ 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.

Finding: As proposed Parcel 2 will front Maple Street and have an average depth of 250-feet. Parcel 1 is proposed to have double frontage along West 3rd Avenue and Maple Street. From the Maple Street side of the parcel, the average lot depth would be 250-feet. The average lot depth from the West 3rd side of the parcel, will be 77.61-feet, less than the 120-foot standard stated above. However, the Planning Commission may approve a lesser depth where topographic conditions necessitate. Post division, the City will take possession of Parcel 1 which contains a City pump station and drainage way. As proposed, the partition follows the existing drainage way and while the proposed configuration would create a lot depth on the West 3rd Avenue site of less than 120-feet, it would preserve the larger Parcel 2 for possible future development and preserve the future best use of the subject site. Therefore, this standard can be sufficiently addressed.

(iii) Area. Minimum lot area shall be in accord with requirements for the zoning district within which the lot is located.

Finding: Per Section 17.40.030 of the JCMC, the minimum lot size for Commercial is 5,000 square feet. Parcel 1 is proposed at 19,020 square feet post division. Parcel 2 is proposed at 65,488 square feet post division. Therefore, this criterion has been addressed.

(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.

Finding: As proposed, Parcels 1 and 2 will have frontage along West 3rd Avenue and Maple Street, respectively. Parcel 1 will have 250-feet of frontage along West 3rd Avenue. Parcel 2 will have 299+ feet of frontage along Maple Street. Therefore, the parcels exceed the above standard, and this criterion has been met.

(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.

Finding: As proposed Parcel 1 would have frontage on both West 3rd Avenue and Maple Street. Maple Street is classified as a Neighborhood Collector, and West 3rd Avenue as a Local Street (lower classification). Parcel 1 is developed with a City pump station. Vehicular access is from West 3rd Avenue. Parcel 2 has an existing access point from Maple Street. No additional vehicle access points are proposed with this application. This is an application for a Minor Partition. No Subdivisions are being proposed. As shown on the submitted partition plan, the above criterion has been adequately addressed.

(b) Exceptions.

(i) Partitioned 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 partitioned 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 partitioned 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 ordinance.

(ii) Land zoned for commercial or industrial use. The planning commission may, in its discretion, authorize relaxation of the parcel or lot size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this ordinance.

(iii) Parcel or lot retained for future partition or subdivision. The planning commission may, in its discretion, waive parcel or lot frontage requirements where, in its judgment, a parcel or lot should and will be retained by the partitioner or subdivider, and future partition or subdivision of such parcel or lot will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such parcel or lot from any street.

Finding: No exceptions to the standards are being requested in this application; thus, this criterion is not applicable.

(2) Key parcels or lots and butt parcels or lots. There shall be no key parcels or lots or butt parcels or lots, except where authorized by the planning commission here such parcels or lots are necessitated by unusual topographic conditions or previous adjacent layout.

Finding: No key or butt lots are being requested in this application; thus, this criterion is not applicable.

(3) Parcel and lot side lines. As far as is practicable, parcel and lot side lines shall run at right angles to the street upon which the parcels or lots face, except that on curved streets they shall be radial to the curve.

Finding: The parcel lot side lines are, as far as practical, at right angles to the street upon which the parcels face to the greatest extent possible. Therefore, this criterion is satisfied.

(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 ordinance.

Finding: The proposed Parcels are large enough in area and suitable for Commercial development, as envisioned by the Junction City Comprehensive Plan and parent zoning. No parcel size will be detrimental to public health and safety. Therefore, these criteria are satisfied.

(5) Future partitioning or subdivision of parcels or lots. Where the partition or subdivision will result in a parcel or lot ½ 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 ordinance 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 preliminary partition application proposes the creation of two (2) parcels out of one (1) legal lot. No development plans were submitted with this application. Proposed Parcel 1 will be less than 0.50 acres in size (19,020 sq. ft.). Parcel 2 will be approximately 1.5 acres (65,488 sq. ft.) with 299.98-feet of frontage along Maple Street. Any future partition or subdivision will require compliance with applicable sections of Title 16, and Title 17 of the Junction City Municipal Code. Therefore, the criteria have been adequately addressed.

(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.

Finding: No panhandle lots are being requested in this application. Therefore, subsections under JCMC 16.05.050(E)(6) do not apply.

(F) Drainage. Where land in the partitioned or subdivision area is or will be periodically subject to accumulations of surface water or is traversed by any watercourse, channel, stream or creek, the planning commission may require the partitioner or subdivider to provide for adequate unrestricted drainage over drainage land by dedicating to the public easements therefore approved by the planning commission as adequate for the drainage needs of the area; or, where necessary, in the judgment of the planning commission, for protection of such needs, by conveying ownership of such drainage land for drainage purposes to the city.

Finding: Impervious runoff from the pump station on the existing Parcel, is conveyed to the stormwater system on West 3rd Avenue via existing drainage lines. Other surface runoff, from the existing parcel, is infiltrated into the surrounding soil. No watercourses, channels, streams, or creeks are found on the existing Parcel. There are no future development plans for either proposed Parcel however any future use will be required to comply with those uses permitted outright per Junction City Municipal Code (JCMC), Title 17 and meet standards of Section 16.05.050(E)(6). Therefore, no additional drainage easements are necessary to accommodate stormwater drainage at this time. This criterion has been adequately addressed.

(G) Railroads.

Finding: There are no railroads adjacent to the proposed partition; thus, this section is not applicable. Therefore, subsections under JCMC 16.05.050(G) do not apply.

(H) Partial development. Where the partitioned 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 partitioner does not propose any development plans with this application. However, any future development will be required to comply with Section 16.05.050(H). This criterion has been adequately addressed.

(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 everyone hundred 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: This application is for a minor partition and not a subdivision; thus, this standard is not applicable.

(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 Oregon Structural, Specialty and Fire and Life Safety Code.

Finding: Proposed Parcel 1 is developed with a City pump station and drainage way. Proposed Parcel 2 of the subject property is fairly flat and no development is proposed with this application for minor partition; however, at the time of any future development, if any fill is needed than it will be in compliance with accepted engineering practices and the Oregon Structural Specialty Code. Thus, this criterion has been adequately addressed.

(K) Finish floor elevations. Finish floor elevations shall be established for all buildings on the final plat in accordance with elevations established by and for the city of Junction City.

Finding: The property owner and applicant understand this final plat standard.

(L) Utility access. All accesses to utilities are to be brought to finish grade.

Finding: All of the accesses to exiting utilities were constructed to finished grade. Thus, this criterion has been adequately addressed.

D. This approval shall become final on the date this decision and supporting findings of fact are signed by the Junction City Planning Commission Chairperson. An appeal of the Planning Commission’s decision must be submitted to the City Council within 12 days of this Final Order being mailed to all opponents. Appeals may be made by filing written notice with the City and paying the fee equal to the average cost as prescribed by the City Council and cost of the written transcripts up to \$500, plus one-half the cost over \$500. If no appeal is taken within the 12-day period, the decision of the Planning Commission shall be final. An appeal of the City Council’s decision must be submitted to the Land Use Board of Appeals within 21 days of the Council’s decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Signature:

Jeff Haag, Junction City Planning Commission Vice-Chair

Approval Date: _____



CITY OF JUNCTION CITY
Planning & Building Department
LAND USE APPLICATION

1171 Elm Street/PO Box 250 Junction City OR 97448

Ph 541-998-4763 ■ Fax 541-998-2773 ■ jcplanning@ci.junction-city.or.us ■ www.junctioncityoregon.gov

Date Submitted:	Received By:	Fee Paid: \$ Waived per PW Dir.	Supplemental Application: None
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Section 1

WHAT IS YOUR REQUEST? Minor Partition

Section 2

Site Address: 755 W 3 rd Avenue	Location Description: W 3 rd & Maple St
Property Size: 85,508 square feet	Assessor's Map & Tax Lot #: 15-04-32-33-00800
Present Use: Storm swale & sewer pump station	Proposed Use: Same
Brief Summary of Action Requested: Partition property into two legal parcels with City sewer pump station on its own parcel (parcel to be owned by City).	
Are there other permit applications associated with this application? If yes, list: none	

Section 3

I have the following legal interest in the property (Circle one):
 Owner of Record Lessee Contract Purchase Holder of an exclusive Option to Purchase
Written authorization from the owner to act as his/her agent must be provided if not the owner of record

Section 4

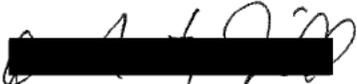
Applicant: ACTA	
Address: PO Box 279, Junction City, OR 97448	
Phone: 541-998-3395 (Marty Nill) [REDACTED]	E-Mail: marty.nill@guaranty.com
Property Owner: Same as applicant	
Address: 20 Hwy 99 Junction City Or. 97448	
Phone: [REDACTED]	E-Mail: Marty.Nill@Guaranty.Com
Contact: (if different than Applicant)	
Address:	
Phone:	E-Mail:

[REDACTED] 8-18-20

City of Junction City
LAND USE APPLICATION

Section 5	
Required Information	
X	Written statement describing proposal in detail
X	Narrative Statement explaining how the application complies with all relevant criteria with enough detail for review and decision-making. <i>Note: See Type I information, at the beginning of this packet, for the municipal code chapters and/or sections related to your land use request</i>
X	Three (3) paper copies of application packet including any plan sets
X	Digital copy of application packet including any plan sets
	Non-refundable Application Fee (per Gary Kaping, fee waived, see project description on page 1)

Section 6	
Supplemental Application:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Attachment(S):	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Section 7	
Your signature below acknowledges the following:	
<p>1. Payment of the base fee may not cover the City's costs associated with processing the Application. Per Resolution 1053: All direct costs for contracted services shall be charged monthly to the applicant in the amount billed to City. Contracted city services include, but are not limited to, city engineer, city attorney, building inspector, traffic consultant, &/or wetlands specialist. Direct costs 30 days past due shall be charged 9% interest in addition to the amount billed to the City.</p>	
<p>2. The foregoing statements and other information attached hereto are true and accurate to the best of my knowledge and belief.</p>	
<p>3. Signer agrees to pay all direct costs associated with processing this land use application.</p>	
Applicant Signature:	
Date:	8/18/20



501 E First Street
Newberg, Oregon 97132
Ph. 503-554-9553 | Fax 503-537-9554

TECHNICAL MEMORANDUM

Date: **October 6, 2020**
To: **Junction City**
From: **Mike Henry, PE**
RE: **755 W 3rd Ave Partition – Minor Partition Procedure Responses**

Project Number: **2013-007**

Statement

HBH Consulting Engineers, Inc. (HBH) has prepared the following responses to the criteria listed in JCMC 16.05.030(C)(9) Minor Partition Procedure for the 755 W 3rd Ave Partition. HBH responses are in bold:

16.05.030 Minor partition procedure.

C. Preliminary Plan Contents. The preliminary plan shall contain the following:

9. In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required:

a. The affidavit of a surveyor who is an Oregon licensed land surveyor, and who prepared the preliminary plan for the area encompassed in the proposed partition.

See Proposed Partition Plat by TerraCalc Land Surveying.

b. The names of all recorded subdivisions contiguous to the subject area.

See Proposed Partition Plat by TerraCalc Land Surveying.

c. The elevations of all points used to determine contours; said points given to true elevation above mean sea level as determined by the city engineer. The base data used shall be clearly indicated and shall be compatible to city datum if bench marks are not adjacent. The following intervals are required:

<i>Contour Intervals</i>	<i>Ground Slope</i>
<i>One foot</i>	<i>Up to 5%</i>
<i>Two feet</i>	<i>Over 5% through 10%</i>
<i>Five feet</i>	<i>Over 10%</i>

See Preliminary Partition TOPO by HBH

d. The approximate width and location of all proposed or existing public utility easements.

See Proposed Partition Plat by TerraCalc Land Surveying.

e. The approximate location of areas subject to inundation or stormwater overflow, all areas covered by water, and the location, width and direction of flow of all water courses.

N/A, there are no areas subject to inundation of stormwater overflow.

f. All proposals for sewage, disposal, flood control, and easements or deeds for drainage land, including profiles of proposed drainage ways.

N/A, there are no proposed drainage ways.

g. All public areas proposed to be dedicated by the partitioner and the proposed uses thereof. In this connection, the application is subject to the requirements pertaining to reserve strips as stipulated in JCMC [16.05.050](#). Said reserve strips shall be clearly indicated on the proposed partition.

There are no public areas proposed to be dedicated.

h. All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed.

There are no proposed public improvements.

i. A legal description of the boundaries of the entire area owned by the partitioner of which the proposed partition is a part; provided, that where the proposed partition comprises all of such area, an affidavit of such fact shall accompany the application.

See Proposed Partition Plat by TerraCalc Land Surveying.



501 E First Street
Newberg, Oregon 97132
503/554-9553 · Fax 503/537-9554

MEMORANDUM

Date: **10/31/2019**
To: **To Whom It May Concern**
From: **Michael Henry, PE**
RE: **3rd & Maple Partition Plat**

Project Number: **2013-007**

Descriptive Statement

The property is located at the intersection of 3rd Avenue and Maple Street. The existing lot contains a public utility easement in which a sewage pump station and a storm drainage swale are located. The remainder of the property is currently being used as commercial storage for RV's. This partition would divide the property into two parcels of 19,020 SF and 65,488 SF, subdividing the public facilities from the commercial area respectively.

Narrative Statement

This application is subject to Junction City Municipal Codes 16.05.030 & 17.150.070(A)(1).

16.05.030(A) Application. An application shall be made by the person proposing the minor partition or his authorized agent or representative on a form prescribed by the city, following procedures outlined in JCMC 17.150.070, and submitted to the secretary of the planning commission, together with a tracing and nine additional copies of a preliminary plan:

The application is being submitted by the authorized agent (HBH Consulting Engineers, Inc.) of the owner (City of Junction City).

16.05.030(B) Drafting. The preliminary plan shall be legibly drawn to scale on sheets of tracing paper or cloth measuring eight and one-half by 11 inches. The scale will be 10, 20, 30, 40, 50 or 60 feet to the inch. The city superintendent of public works shall furnish such eight and one-half by 11 inch tracing sheets on request.

The drawing is done to scale at 1"=30" on 18" x 24" paper. This was half-scaled to 1"=60" on an 11" x 17" (3 copies of 11" x 17" attached).

16.05.030(C)(1) The dimensions and parcel lines of all parcels.

Dimensions and parcel lines of all parcels are shown.

16.05.030(C)(2) An accurate map describing the boundaries of all contiguous land in the same ownership as the area encompassed in the preliminary plan area.

The map shows all boundaries of contiguous land in the same ownership as the area encompassed in the preliminary plan area.

16.05.030(C)(3) The date, north point and scale of the drawing, and sufficient legal description and dimensions of the land to define the boundary thereof and the assessor's account number.

The date, north arrow, scale, legal description, and dimensions of the land to define the boundary are shown. The assessors account number and legal description **are not** shown, but are located on the attached title report.

16.05.030(C)(4): Name, address and telephone number of the owner, the partitioner and engineer or surveyor.

The surveyors and the owners (partitioner, City of Junction City) contact information is shown on the map.

16.05.030(C)(5): Location of property in relation to existing streets, name and present width of all streets and alleys, and proposed right-of-way lines for existing or projected streets as shown on the master street plan.

The property's location to existing streets is shown. The names of streets are listed, as well as their widths. There are no proposed ROW alterations.

16.05.030(C)(6) The layout of the parcels proposed and the dimensions of each, with a number within each proposed parcel.

The parcels are numbered, and their layouts are dimensioned.

16.05.030(C)(7): The location of each building or structure above ground. Dimension distance to parcel lines being created.

The locations of buildings are shown. Their proximity to the parcel lines being created are shown.

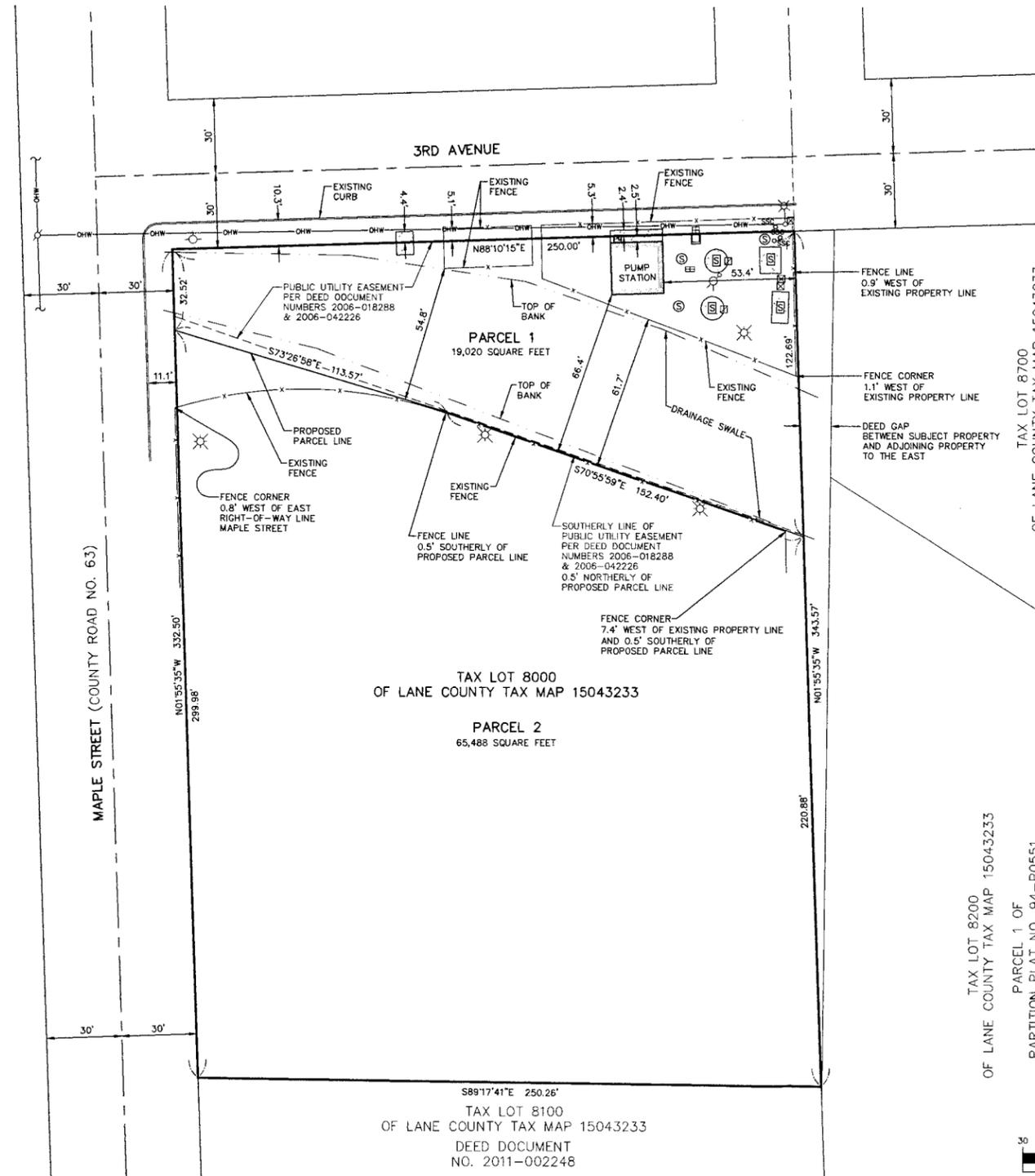
16.05.030(C)(8): The width and location of all easements for drainage or public utilities.

The width and location of all public easements are shown

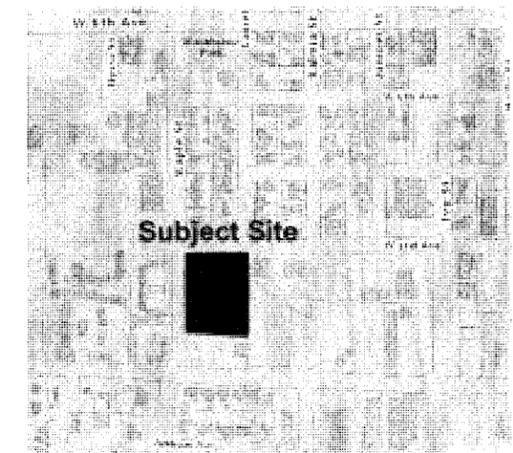
16.05.030(C)(9): In addition, when all or a portion of the area encompassed in a minor partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of one-half acre each, the following information is also required.

The area has been recorded in a previous subdivision plat. Items 16.05.030(C)(9)(a-i) are not applicable.

The remainder of 16.05.030 and 17.150.070(A)(1) pertain to administrative review procedures and are not relevant in representing the completeness of this application.



PROPOSED PARTITION PLAT
 LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 32,
 TOWNSHIP 5 SOUTH, RANGE 4 WEST, W.M.,
 JUNCTION CITY, LANE COUNTY, OREGON
 OCTOBER 29, 2019



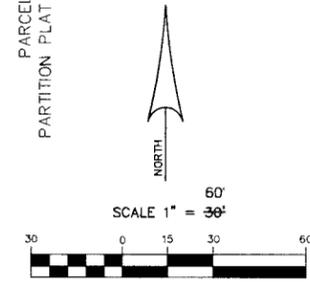
Property Owner:
 ACTA
 PO Box 279
 Junction City OR 97448

CITY CONTACT INFORMATION:
 CITY OF JUNCTION CITY
 680 GREENWOOD STREET
 JUNCTION CITY, OR 97448
 503-998-2153

Vicinity Map

- LEGEND:**
- EXISTING ASPHALT
 - EXISTING CONCRETE
 - FENCE
 - OVERHEAD POWER LINE
 - SANITARY SEWER MANHOLE
 - SANITARY SEWER VAULT
 - SANITARY SEWER CLEANOUT
 - ELECTRICAL METER
 - ELECTRICAL JUNCTION BOX
 - ELECTRICAL RISER
 - UNKNOWN UTILITY RISER
 - COMMUNICATIONS RISER
 - UTILITY POLE
 - WATER METER
 - FIRE HYDRANT
 - UTILITY POLE/LIGHT POLE
 - LIGHT POLE
 - WATER SPIGOT

TAX LOT 8200
 OF LANE COUNTY TAX MAP 15043233
 PARCEL 1 OF
 PARTITION PLAT NO. 94-P0551



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

 OREGON
 JANUARY 11, 2005
 DARREN S. HARR
 56181
 RENEWS: 6-30-21

PREPARED BY:
TerraCalc
 Land Surveying
 1415 N.E. Miller Street
 McMinnville, OR 97128
 (503) 857-0935
 www.Terra-calc.com

SHEET 1 OF 1

