



**JUNCTION CITY PUBLIC WORKS DEPARTMENT**

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**CONDITIONAL USE AND CONCURRENT DEVELOPMENT REVIEW STAFF REPORT:**

**Report Date:** September 22, 2021

**File:** CUP-21-13/DEV-21-14, 582 Laurel

**Proposal:** An addition to an existing Dental office at 582 Laurel Street, with demolition of the single-family home at 554 Laurel Street in order to expand the parking lot.

**Owner(s)/Applicant(s):** 582 Laurel, LLC, 390 Sunshine Acres, Eugene OR 97401

**Applicant's Contact:** Anthony Favreau, 3750 Norwich Ave, Eugene OR 97408

**Staff Contact:** Tere Andrews, Planning Technician, [jcplanning@ci.junction-city.or.us](mailto:jcplanning@ci.junction-city.or.us), 541-998-3125

**Subject Property/Zoning/Location:** The subject site is located on the southeast corner of the intersection at Laurel Street and West 6<sup>th</sup> Avenue and is further identified on Lane County Assessor's Map 15-04-32-33 as Tax Lots 06200, 06201 & 06202. The subject site contains two legal lots. The lot fronting on West 6<sup>th</sup> Avenue is designated Commercial on the City's 2012 Comprehensive Plan map, with a corresponding zoning of Commercial Residential (CR). The second lot, directly to the south is designated Medium Density Residential and zoned Duplex Residential (R2).

**Relevant Dates:** Application originally submitted on August 26, 2021; deemed complete on August 27, 2021; Public Hearing Notice mailed on September 1, 2021 and published in the Register Guard Newspaper on September 8, 2021.

**Associated Files:** Administrative (Minor) Variance (2000), Property Line Adjustment (1999)

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**REQUEST**

The applicant is requesting Conditional Use and Development Review approval for an addition to an existing dental office and expansion of the required parking. The dental office is in the Commercial Residential (CR) zone at 582 Laurel Street. The required parking is proposed to be moved to 554 Laurel, directly to the south of the dental building. Both properties are owned by the applicant. The zoning for 554 Laurel is Duplex Residential (R2).

Neighborhood Commercial uses, such as the existing dental office and accompanying on-site parking are an outright permitted use in the Commercial Residential zone (582 Laurel), however, Neighborhood Commercial uses are permitted in Duplex Residential zones as Conditional Uses requiring review and public hearing before the Planning Commission.

Development Review, a Type I staff level review, is required for the proposal (JCMC 17.160.040(D)). As a Type I land use action, Development Review would normally be conducted by staff. However, it is being reviewed concurrent with the Conditional Use application. Therefore, both the Conditional Use and Development Review will go before the Planning Commission at a public hearing.

**PUBLIC NOTICE AND REFERRALS**

JCMC 17.150.080 (B) states: *"With the exception of Type IV applications, notice of hearing or contemplated land use action shall be mailed to the applicant and to all owners and abutting property*

*owners, including owners of property which would be abutting if there were not intervening streets, of the property which is the subject of the notice. In addition, notice shall be provided to all owners of record of property on the most recent property tax assessment roll within 300 feet of the subject property. Notice shall be mailed at least 20 days before the date of the hearing or review.”*

On September 1, 2021, staff mailed a notice of public hearing to the applicant, property owners and residents within 300 feet of the subject site. To date three public comments have been received in support of the proposal. No other comments were received.

Referral comments on the application were requested from various affected service providers and City departments on August 30, 2021. Pertinent referral comments are listed below.

- **Pacific Power, Robert Curtis, Estimator, dated August 31, 2021 –**

If the house is to be demolished to create a larger parking lot, the (electrical) service must be removed from the transformer to the east of the parcel. At that time contact Customer Service at 1-888-221-7070 and request service removal.

Comments are addressed in the context of applicable Development Review and Conditional Use approval criteria and relevant Municipal Code standards in the following evaluation.

#### **GENERAL PROPERTY INFORMATION**

The subject site is located in the Washburne and Milliorn 2nd Addition on Block 2, Lots 6, 7, and 8. The lots each measured 50-feet wide by 100-feet deep at the time they were platted. The subject site is abutting West 6<sup>th</sup> Avenue to the north and Laurel Street to the west.

A 1999 property line adjustment increased Lot 6 adding the northerly 40 feet of Lot 7. The Lane County Tax Assessor’s database shows the total area of Lot 6 to currently be 9,148 square feet. The resulting Lot 7 is shown in the Tax Assessor’s database as 871 square feet.

The subject site includes two legal lots addressed as, 582 Laurel Street and 554 Laurel Street. Junction City Municipal Code 17.05.020 defines a lot as *“a parcel or tract, or area of land whose boundaries have been established by some legal instrument, which is recognized as a separate legal entity for purposes of transfer of title, has frontage upon a public or private street, and complies with the dimensional requirements of this code.*

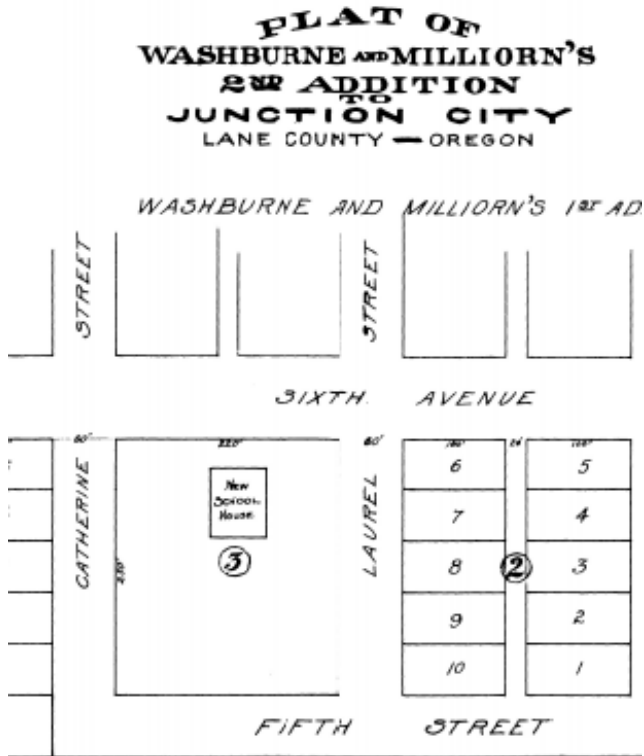
The two legal lots are under the same ownership and encompass three tax lots 06200, 6201, and 06202 on Assessor’s map 15-04-32-33, and in total cover an area of 14,811 square feet.

A records search located reference to a 2000 Administrative (Minor) Variance. The minor variance granted an 18-foot front yard setback along the north property line rather than the required 20 feet. As noted previously, the north property line is along West 6<sup>th</sup> Avenue, thus the front property line is along West 6<sup>th</sup> Avenue (see Table 1).

The 2012 Comprehensive Plan Designation for 582 Laurel Street is Commercial with a corresponding zoning of Commercial Residential (CR). The Plan Designation for 554 Laurel Street is Medium Density Residential with a corresponding zoning of Duplex Residential (R2). Surrounding properties are shown on the 2012 Junction City Comprehensive Plan Designation map to have Commercial designations to the north and east, Medium Density Residential to the south and east, and Public to the west. The surrounding zonings comply with the Plan Designations. To north and east are properties zoned

Commercial Residential, to the south is property zoned Duplex Residential, and to the west is a park zoned Public Land.

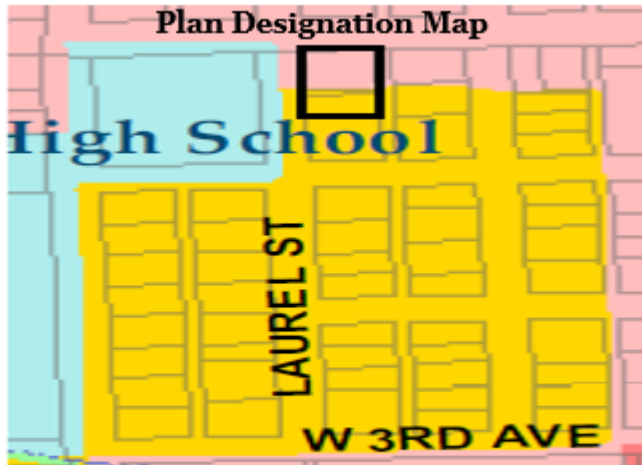
**Table 1**



Washburne & Milliorn 2<sup>nd</sup> Edition, 8-17-1908



Subject Site with 1999 Property Line Adjustment



Pink - Commercial  
Blue - Public  
Yellow - Medium Density Residential



Pink - Commercial/Residential  
Blue - Public Land  
Yellow - R2 (Duplex Residential)

According to the Federal Emergency Management Administration, Flood Insurance Rate Map # 41039C0602F, the subject site has a Flood Zone designations of 'X' Areas determined to be outside of 500-year flood.

As listed in the Junction City Local Wetland Inventory Map no locally identified wetlands are on or near the subject site.

The Junction City Transportation System Plan (TSP) classifies West 6<sup>th</sup> Avenue as a Major Collector. According to the TSP, Major Collector streets provides access and circulation within and between residential, commercial, industrial, and mixed-use lands. Collector streets provide more citywide circulation while still accessing neighborhoods. They collect traffic from local streets and channel them onto the arterial system. Laurel Street is shown to be a local street. Local streets provide immediate access to adjacent land. Local Streets are defined in the Junction City Municipal Code, 17.05.020 as street designed to provide vehicular access to abutting property and to discourage through traffic.

Additional details of the proposal are included in the applicant's Conditional Use and concurrent Development Review applications and are further addressed in the applicant's written statements and supporting documentation. All submitted materials are included as part of the public record and located in the application file for reference. The following evaluation addresses details of the proposal in the context of compliance with the applicable approval criteria and related standards.

#### **EVALUATION**

The following findings demonstrate that the proposed development will comply with all applicable approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC). Relevant application requirements and approval criteria are addressed at JCMC 17.15 Duplex Residential, 17.40 Commercial Residential, 17.85 Access Management, 17.130 Conditional Uses, and 17.160 Development Standards. The following evaluation includes findings of compliance with the applicable criteria and related standards as provided in the JCMC, with informational items noted where appropriate. The approval criteria and related standards are listed below in **bold**, with findings addressing each.

#### **JCMC 17.15 DUPLEX RESIDENTIAL ZONE (R2)**

##### **17.15.010 Uses permitted outright.**

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**In an R2 zone, only the following uses and their accessory uses are permitted outright:**

**A. Single and two-family dwellings (duplexes).**

**B. A use permitted in the R1 zone.**

**C. A use similar to those listed above. [Ord. 1116 § 1, 2003; Ord. 950 § 15, 1991.]**

Finding: The proposal does not include a single family or duplex structure or similar use.

Therefore, the criteria are not applicable.

##### **17.15.020 Conditional uses permitted.**

**In an R2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter JCMC:**

**E. Neighborhood commercial use less than 5,000 gross square feet which serves the immediate neighborhood, and complies with the applicable neighborhood commercial standards listed in the R3 zone.**

Finding: JCMC 17.40.010(B)(4) lists dental offices as a Neighborhood Commercial use. As shown on the submitted floor plan, the existing dental building with the proposed addition will be 4,096 square feet, less than 5,000 square feet. The required parking is proposed to be located in the R2 zone; thus, the parking will be required to comply with the Neighborhood Commercial standards listed in the R3 zone. The standards listed under JCMC 17.20.130, as they relate to the parking will be addressed later in this report. Furthermore, the dental office addition, which is in the Commercial Residential zone, will be addressed later in this report under standards listed in JCMC Chapter 17.40. The applicant submitted this Conditional Use and concurrent Development Review application in response to the criterion listed above. Findings relative to the required Conditional Use application will be addressed later in this report under at JCMC Chapter 17.130. As noted previously in this report, the subject site consists of two legal lots under the same ownership. The proposed dental office addition and required parking are on two legal lots in two different zoning districts. The dental office and its proposed addition are in the Commercial/Residential zone at 582 Laurel Street and the required parking in the R2 zone at 554 Laurel Street. Therefore, the following condition is warranted.

CONDITION: Prior to building permit issuance, the applicant will provide to the City a copy of a lot combining covenant recorded with Lane County stating the subject site (582 & 554 Laurel) which includes three tax lots, 6200, 6201, 6202 on Lane County Tax Assessor's map 15-04-32-33 must hereafter be sold together without separation of the lots or portions thereof as a single unit of land so long as a structure is on the land.

Therefore, as conditioned above the criteria can be satisfied.

**17.15.030 Lot size.**

**In an R2 zone, the minimum lot size shall be as follows:**

- A. The minimum lot area for single-family dwellings shall be 5,000 square feet.**
  - B. The minimum lot area for two-family dwellings (duplexes) shall be 7,000 square feet.**
  - C. The minimum lot area for multiple-family dwellings shall be 7,500 square feet.**
  - D. The minimum lot depth shall be 75 feet.**
  - E. The minimum lot width shall be 50 feet and 35 feet for cul-de-sac lots.**
- [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 17, 1991.]**

Finding: No dwelling units are proposed as part of this application. The subject site is 100-feet deep and 150-feet wide.

Therefore, the criteria are met.

**17.15.040 Setback requirements.**

**Except as provided in JCMC 17.95.060, in an R2 zone, the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.10.070, shall be as follows:**

- A. The front yard shall be a minimum of 18 feet to the front facade of the house and a minimum of 20 feet to the garage. Covered but unenclosed porches shall be allowed to**

be a minimum of 10 feet from the front property line, as long as they do not encroach into a public utility easement and comply with the vision clearance standards in JCMC 17.95.090 (see Appendix A, Diagram 4).

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

**C. The rear yard shall be a minimum of 15 feet, measured from the foundation. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of four feet.**

**D. In the case of a duplex residential use on a corner lot where primary vehicular access is provided from two streets, then both yards abutting the street shall be considered the front yard with appropriate front yard setbacks (20 feet from property line to foundation of building). Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2). [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 18, 1991.]**

Finding: The proposal is for an addition to an existing dental office. The required parking will be expanded into the R2 zone. No structures are proposed in the R2 zone.

Therefore, the criteria are not applicable.

**17.15.050 Height of buildings.**

**In an R2 zone, no building shall exceed a height of 35 feet. [Ord. 1116 § 1, 2003; Ord. 950 § 19, 1991.]**

Finding: The proposal is for an addition to an existing dental office. The required parking will be expanded into the R2 zone. No structures are proposed in the R2 zone.

Therefore, the criteria are not applicable.

**17.15.060 Lot coverage.**

**In an R2 zone, buildings shall not occupy more than 50 percent of the lot area. [Ord. 1116 § 1, 2003; Ord. 950 § 20, 1991.]**

Finding: The proposal is for an addition to an existing dental office. The required parking will be expanded into the R2 zone. No structures are proposed in the R2 zone.

Therefore, the criteria are not applicable.

**17.15.070 Setback exceptions.**

**In an R2 zone, the following architectural features are allowed to encroach into the setback yards: eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by up to three feet; provided, that the State Fire Code is met. Walls and fences may be placed on property lines, subject to the standards in JCMC 17.95.020. Walls and fences within front yards shall additionally comply with**

**the vision clearance standards in JCMC 17.95.090. [Ord. 1116 § 1, 2003; Ord. 950 § 20A, 1991.]**

Finding: The proposal is for an addition to an existing dental office. The required parking will be expanded into the R2 zone. No structures are proposed in the R2 zone.

Therefore, the criteria are not applicable.

**JCMC 17.20 MULTIPLE-FAMILY RESIDENTIAL ZONE (R3)**

**17.20.130 Neighborhood commercial supplemental standards.**

**All neighborhood commercial uses shall comply with the following standards:**

**A. Permitted Uses. Only the following neighborhood commercial uses are permitted in an R3 zone:**

**4. Medical and dental offices, clinics, and laboratories;**

Finding: The proposal is for an addition to an existing dental office. The required parking will be expanded into the R2 zone. No structures are proposed in the R2 zone. The dental office addition is in the Commercial Residential zone and will be addressed later in this report under standards listed in JCMC Chapter 17.40. As noted previously in this report, the subject site consists of two legal lots under the same ownership. The proposed dental office addition and required parking are on two legal lots in two different zoning districts. The dental office and its proposed addition are in the Commercial/Residential zone at 582 Laurel Street and the required parking in the R2 zone at 554 Laurel Street. Therefore, the following condition is warranted.

CONDITION: Prior to building permit issuance, the applicant will provide to the City a copy of a lot combining covenant recorded with Lane County stating the subject site (582 & 554 Laurel) which includes three tax lots, 6200, 6201, 6202 on Lane County Tax Assessor's map 15-04-32-33 must hereafter be sold together without separation of the lots or portions thereof as a single unit of land so long as a structure is on the land.

Therefore, as conditioned above the criteria can be satisfied.

**B. Floor Area Standards. The maximum commercial floor area shall not exceed 5,000 square feet total for all uses on one neighborhood commercial site. Floor area is measured by totaling the interior floor area of all building stories, except crawlspaces (i.e., with less than seven and one-half feet of vertical clearance).**

Finding: The proposal is for an addition to an existing dental office. The required parking will be expanded into the R2 zone. No structures are proposed in the R2 zone.

Therefore, the criteria are not applicable.

**C. Hours of Operation. Neighborhood commercial land uses shall be limited to the following hours of operation: 7:00 a.m. to 10:00 p.m.**

Finding: The hours of operation for the existing dental office are Monday – Thursday 8:30 a.m. to 5:00 p.m., and Friday 7:30 a.m. to 4:00 p.m.

Therefore, the criterion is met.

**D. Storage. Except for plants and garden supplies overnight outdoor storage is not permitted. Plants and garden storage must comply with the vision clearance standards in JCMC 17.95.090.**

Finding: Outdoor storage is not proposed as part of this application. This finding serves as notice to the applicant that outdoor storage is not permitted. A preliminary landscape plan was not included with the submitted site plan. Since a landscaping was not included, the following condition is warranted.

CONDITION: An approved landscape plan is required prior to issuance of building permits.

Therefore, as conditioned, the criteria can be met.

**E. Parking. Parking lots shall comply with the following standards:**

- 1. Parking lots shall be placed to the side or rear of buildings.**
- 2. Off-street vehicle parking must comply with the landscaping, size, and pedestrian circulation standards specified in Chapter 17.90 JCMC. [Ord. 1242 § 1 (Exh. A), 2016; Ord. 1116 § 1, 2003; Ord. 950 § 26E, 1991.]**

Finding: As proposed, the expanded parking will be located at the rear of the building. Additional parking and landscape criteria will be addressed later in this report under JCMC Chapter 17.90.

Therefore, the criteria have been sufficiently addressed.

**JCMC 17.40 COMMERCIAL/RESIDENTIAL (CR)**

**17.40.010 Uses permitted outright.**

**In the CR zone, only the following uses and their accessory uses are permitted outright:**

**B. Neighborhood commercial uses as follows:**

- 4. Medical and dental offices, clinics, and laboratories;**

Finding: The existing dental office at 582 Laurel Street is in the Commercial Residential zone. As shown in the criterion above, dental offices are outright permitted uses in the CR zone.

Therefore, the criterion is met.

**17.40.020 Conditional uses.**

**In the CR zone, uses allowed outright in the C2 zone and their accessory uses are permitted when authorized in accordance with the requirements of Chapter 17.130 JCMC:**

**A. Dormitories.**

- B. Clubs, lodges, fraternal and religious associations. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 1021 § 2, 1996; Ord. 950 § 46, 1991.]**

Finding: The existing dental office at 582 Laurel Street is in the Commercial Residential zone. As shown in the criterion listed above (JCMC 17.40.010(B)(4)), dental offices are outright permitted uses in the CR zone. The expanded parking located at 554 Laurel Street is in the R2 zone and is reviewed under those criteria.

Therefore, the criterion is met.



**17.40.030 Lot size.**

In a CR zone, the lot size shall be as follows:

- A. The minimum lot area for commercial shall be 5,000 square feet.
- B. The minimum lot area for two-family dwellings (duplexes) shall be 6,000 square feet.
- C. For multiple-family dwellings, the minimum lot area shall be 7,500 square feet.
- D. The minimum lot width at the front building line shall be 50 feet for an interior lot, and 35 feet for cul-de-sac lots.
- E. There is no minimum lot depth.
- F. The minimum lot area for townhomes (single-family attached or row houses) shall be 2,500 square feet per unit. The minimum lot width at the building front shall be 25 feet. [Ord. 1197 § 1, 2010; Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 47, 1991.]

Finding: The existing dental office at 582 Laurel Street is in the Commercial Residential zone. The lot is 9,148 square feet, exceeding the minimum lot size of 5,000 square feet. The expanded parking located at 554 Laurel Street is in the R2 zone and will be reviewed under those criteria.

Therefore, the criterion is met.

**17.40.040 Setback requirements.**

Except as provided in JCMC 17.40.050 and 17.95.060, in a CR zone the yards, measured from the property line to the foundation of the building, shall be as follows:

- A. A minimum front setback of 15 feet is required for multifamily dwellings, townhomes, and duplexes, except that a covered (but not enclosed) porch may be within 10 feet of the front line. A minimum front setback of 10 feet is required for nonresidential and mixed use buildings.
- B. Each side yard setback shall be a minimum of six feet, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet. Townhomes shall have no setback requirement where they share common walls.
- C. The back yard shall be a minimum of 15 feet.
- D. In the case of a two-family (duplex) residential use on a corner lot where primary vehicular access is provided from two streets, then both yards abutting the street shall be considered the front yard. Setbacks for back yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2).
- E. No building shall encroach into a public utility easement or vision clearance area (JCMC 17.95.090). [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 48, 1991.]

Finding: The existing dental office at 582 Laurel Street is in the Commercial Residential zone. The proposed addition to the dental office is shown on the submitted plans to be on the south/rear side of the building. A records search located reference to a January of 2000 Administrative (Minor) Variance. The minor variance granted an 18-foot front yard setback along the north property line rather than the required 20 feet. As noted previously, the north property line is along West 6<sup>th</sup> Avenue, thus the front

property line is along West 6<sup>th</sup> Avenue with side property lines along Laurel Street and the alley to the east. The Laurel Street setback meets the required 15-foot setback, and the alley setback is eight feet, exceeding the required six-foot side yard setback. The rear setback of 15-feet can be satisfactorily addressed with a lot combining covenant. Thus, the following condition is warranted.

CONDITION: Prior to building permit issuance, the applicant will provide to the City a copy of a lot combining covenant recorded with Lane County stating the subject site (582 & 554 Laurel) which includes three tax lots, 6200, 6201, 6202 on Lane County Tax Assessor's map 15-04-32-33 must hereafter be sold together without separation of the lots or portions thereof as a single unit of land so long as structure is on the land.

Therefore, as conditioned above the criteria can be satisfied.

**17.40.050 Setback exceptions.**

**In a CR zone, the following architectural features are allowed to encroach into the setback yards: eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by up to three feet; provided, that the State Fire Code is met. Walls and fences may be placed on property lines, subject to the standards in JCMC 17.95.020. Walls and fences within front yards shall additionally comply with the vision clearance standards in JCMC 17.95.090. [Ord. 1116 § 1, 2003; Ord. 950 § 48A, 1991.]**

Finding: The existing dental office and addition are located at 582 Laurel Street is in the Commercial Residential zone. As proposed no architectural features are proposed to be located within the setback area.

Therefore, the criterion is not applicable.

**17.40.060 Height of buildings.**

**No buildings shall exceed a height of 35 feet. Building height may be restricted according to requirements in JCMC 17.20.070, 17.20.090 and 17.40.090. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 49, 1991.]**

Finding: The existing dental office and addition are located at 582 Laurel Street is in the Commercial Residential zone. The existing dental office and proposed addition are one story, less than the maximum height of 35-feet.

Therefore, the criterion is met.

**17.40.070 Lot coverage.**

**In a CR zone, the buildings shall not occupy more than 60 percent of the lot area. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 50, 1991.]**

Finding: The existing dental office and proposed addition will total 4,096 square feet. According to the Lane County Tax Assessor's database, the lot is 9,148 square feet. Thus, the lot coverage with the addition is 44.8%, less than the maximum lot coverage of 60%.

Therefore, the criterion has been met.

**17.40.080 Residential standards.**

**All new residential buildings in the CR zone shall comply with the development review, building height transition, building orientation, building form, and other standards listed in the R3 zone in JCMC 17.20.030, 17.20.090 through 17.20.120 and 17.20.140. [Ord. 1116 § 1, 2003; Ord. 950 § 50A, 1991.]**

Finding: The proposal includes an addition to an existing dental office at 582 Laurel Street is in the Commercial Residential zone. No residential uses are proposed as part of this application.

Therefore, the criterion is not applicable.

**17.40.090 Nonresidential standards.**

**All new nonresidential buildings in the CR zone shall comply with the development review, building height transition, building orientation, building form, and other standards listed in the R3 zone in JCMC 17.20.030, 17.20.090 through 17.20.110 and 17.20.130 with the following exceptions:**

**A. Hours of operation are not limited.**

**B. There is no maximum floor area standard. [Ord. 1116 § 1, 2003; Ord. 950 § 50B, 1991.]**

Finding: The hours of operation for the existing dental office, and the proposed addition are Monday – Thursday 8:30 a.m. to 5:00 p.m., and Friday 7:30 a.m. to 4:00 p.m.

Therefore, the criterion is met.

**17.85 ACCESS MANAGEMENT**

**17.85.020 Applicability.**

**This chapter shall apply to all public streets within Junction City and to all properties that abut these roadways. [Ord. 1103 § 1, 2002; Ord. 950 Appx. H, 1991.]**

The proposal includes properties that abut public streets within the Junction City limits.

Therefore, the provisions of this chapter apply.

**17.85.030 Permit application.**

**Requests for new accesses or modified access to public rights-of-way shall complete an access permit application and comply with the standards in this chapter. [Ord. 1103 § 1, 2002; Ord. 950 Appx. H, 1991.]**

Finding: All proposed access points are subject to review and conformance with the Junction City Public Works Design Standards. No permits will be issued until the applicant has demonstrated compliance with the JCPW Design Standards and the relevant criteria listed within this report.

Therefore, the above criterion has been sufficiently addressed.

**17.85.040 Compliance with regulations.**

**The proposed use and development of land shall conform to all applicable land use regulations and the Junction City comprehensive plan. [Ord. 1103§ 1, 2002; Ord. 950 Appx. H, 1991.]**

Finding: The applicant understands this requirement and intends to comply with the above standard. The proposed use and development have been addressed in regard to the applicable land use regulations within this staff report.

Therefore, the above criterion has been met.

**17.85.050 Standards and specifications.**

**All construction of such driveways shall be done in conformity with proper standards and workmanship, and according to specifications furnished by the community development director. [Ord. 1103 § 1, 2002; Ord. 950 Appx. H, 1991.]**

Finding: All proposed driveways and drive isles are subject to review and conformance with the Junction City Public Works Design Standards. No permits will be issued until the applicant has demonstrated compliance with the JCPW Design Standards and the relevant criteria listed within this report.

Therefore, the above criterion has been addressed.

**17.85.060 Corner clearance.**

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

**B. Where no other alternatives exist, the city may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connection restrictions (i.e., right in/out, right in only, or right out only) may be required. [Ord. 1103 § 1, 2002; Ord. 950 Appx. H, 1991.]**

Finding: The Junction City Transportation System Plan (TSP) classifies West 6<sup>th</sup> Avenue as a Major Collector. Laurel Street is shown to be a local street, a lower classification. The proposed access point will be off Laurel Street. In addition, all proposed access points are subject to review and conformance with the Junction City Public Works Design Standards. No permits will be issued until the applicant has demonstrated compliance with the JCPW Design Standards and the relevant criteria listed within this report.

Therefore, the above criterion has been addressed.

**17.85.070 Joint and cross access.**

**A. Adjacent commercial or office properties classified as major traffic generators (i.e., uses that generate more than 30 peak hour trips, as cited in the Institution of Transportation Engineers' (ITE) trip generation tables) shall provide a cross-access drive and pedestrian access to allow circulation between sites.**

**B. For new commercial retail and service uses, a system of joint use driveways and cross-access easements shall be established wherever feasible and shall incorporate the following:**

- 1. A continuous service drive or cross-access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;**
- 2. A design speed of 10 m.p.h. and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;**
- 3. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive;**
- 4. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.**

**C. Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.**

**D. Pursuant to this section, property owners shall:**

- 1. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross-access or service drive;**
- 2. Record an agreement with the deed that remaining access rights along the roadway will be dedicated to Junction City and pre-existing driveways will be closed and eliminated after construction of the joint use driveway;**
- 3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.**

**E. The city may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical. [Ord. 1103 § 1, 2002; Ord. 950 Appx. H, 1991.]**

Finding: No cross-access driveways currently exist or are proposed. No shared parking facilities are proposed as part of this application.

Therefore, the criteria are not applicable.

**17.85.080 Requirements for phased development plans.**

**In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be reviewed as single properties in relation to the access standards of this chapter. The number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage.**

**Driveways shall be designed to avoid queuing across surrounding parking and driving aisles and pedestrian ways and sidewalks. [Ord. 1103 § 1, 2002; Ord. 950 Appx. H, 1991.]**

Finding: All parcels included in the proposed development site are under the same ownership. The proposal is being reviewed as a single property. The applicant is not proposing phased development. Therefore, these criteria are not applicable.

**17.85.100 Reverse/dual frontage.**

**Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower functional classification. [Ord.1103 § 1, 2002; Ord. 950 Appx. H, 1991.]**

Finding: The Junction City Transportation System Plan (TSP) classifies West 6<sup>th</sup> Avenue as a Major Collector. Laurel Street is shown to be a local street, a lower classification. Parking facilities are proposed to be accessed from Laurel Street.

Therefore, the above criterion has been addressed.

**17.85.110 Site plan review procedures for access management.**

**A. Applicants shall submit a preliminary site plan for review by the planning department. At a minimum, the site plan shall show:**

- 1. Location of existing and proposed access point(s) on both sides of the road where applicable;**
- 2. Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;**
- 3. Number and direction of lanes to be constructed on the driveway plus striping plans;**
- 4. All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.);**
- 5. Parking and internal circulation plans including walkways and bikeways;**
- 6. Detailed description of any requested variance and the reason the variance is requested.**

Finding: The applicant has submitted a site plan in compliance with the criteria listed above.

Therefore, the criteria have been met.

**B. Site plan review shall address the following access criteria:**

- 1. All proposed roads shall follow the natural topography and preserve natural features of the site as much as possible. Alignments shall be planned to minimize grading.**
- 2. Access shall be properly placed in relation to sight distance, driveway spacing, and other related considerations, including opportunities for joint and cross access.**

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

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

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

Finding: No roads are proposed as part of this application. The submitted site plan shows compliance with the standards at JCMC 17.85.110(B).

Therefore, these criteria have been met.

**C. Any application that involves access to the state highway system shall be reviewed by the Oregon Department of Transportation for conformance with state access management standards. [Ord. 1103 § 1, 2002; Ord. 950 Appx. H, 1991.]**

Finding: The subject site is not located near a state highway.

Therefore, the criterion is not applicable.

**17.85.120 Variance standards.**

Finding: No variance is being requested as part of this application.

Therefore, the criteria listed under JCMC 17.85.120 do not apply.

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

**JCMC 17.90.010 Off-Street Parking**

**A. Off-Street Parking Spaces Required. At the time of erection of a new structure, at the time of enlargement of an existing structure's floor area by more than 20 percent, or at the time of change in use of an existing structure within any zone in the city, off-street parking spaces shall be provided in accordance with the requirements of this section.**

Finding: The subject site is developed with an existing dental office. The proposal is for an addition to the existing building and expansion of the parking all on two legal lots, 582 & 554 Laurel Street. The applicant proposes to construct a 2,057 square foot addition on the southside the existing 2,039 square foot dental office.

Therefore JCMC 17.90 is applicable to the proposal.

**B. Exceptions to Off-Street Parking Requirements. Properties are exempt from the requirement for off-street parking if such properties:**

- 1. Are or have been assessed for public off-street parking facilities;**
- 2. Have a commercial use and are bounded by 3rd Avenue to the south, 10th Avenue to the north, West Front Street to the east, and the alley between Juniper**

**Street and Kalmia Street to the west. Properties within this area are exempted from off-street parking requirements, except at the time of erection of a new structure, at the time an existing structure's floor area is enlarged by more than 20 percent, or when the property changes from a commercial use;**

**3. Have a commercial use, are located within 900 feet of a city of Junction City parking lot, and are located in an existing residential structure located in the area bounded by W 4th Avenue to the north, W 2nd Avenue to the south, Holly Street to the west, and Front Street to the east, including abutting properties to the alleys.**

Finding: The subject site is located at 582 and 554 Laurel Street no evidence was submitted or located indicating the site has been assessed for public off-street parking facilities. The subject site is west of the parking exemption area described above. In addition, the proposal is for an addition to an existing structure which would place the proposal outside of the off-street parking exemption criteria listed above.

Therefore, the proposal is required to provide off-street parking in accordance with JCMC 17.90.

**C. Elimination of Parking Spaces. If a parking space has been provided in connection with an existing use, the parking space shall not be eliminated if it would result in less parking than required by this chapter.**

Finding: The applicant is not proposing to eliminate existing parking spaces.

Therefore, this criterion is met.

**D. Measurement of Required Parking Spaces. Where square feet are specified the area measured shall be the gross floor area of the functional use of the building, but shall exclude space devoted to off-street parking or loading. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space.**

Finding: As shown on the submitted floor plan, the floor area total will be 4,096 square feet. Thus, 11.7 parking spaces are required. The fractional number was rounded up to a required 12 parking spaces.

Therefore, the criterion is met.

**E. Off-Street Parking Spaces. The minimum number of off-street parking spaces shall be provided as follows:**

**6. Commercial**

**d. Medical and dental clinic - One space per 350 square feet of floor space.**

Finding: The proposal is for an addition to an existing dental office. As proposed, with the addition, the dental office would be 4,096 square feet. Thus, 12 dedicated parking spaces would be required. The submitted site plan shows 12 parking spaces proposed on the subject site (554 Laurel Street).

Therefore, the criterion is met.

**F. Bicycle parking facilities shall be provided as part of new multifamily developments of three units or more, new retail, office and institutional**



developments, and all transit transfer stations and park and ride lots. Bicycle parking requirements shall apply to new development, changes of use, and building expansions and remodels where the floor area of the building is being increased by 50 percent or more. Bicycle parking spaces shall provide a convenient place to lock a bicycle and shall be at least six feet long, two feet wide, and shall provide at least seven feet of vertical clearance. Bicycle parking shall not interfere with pedestrian circulation. For any use where bicycle parking is required, if the vehicular parking is covered or partly covered the bicycle parking will be covered at the same ratio. Bicycle parking spaces shall be provided as indicated below:

<b>1. Multifamily dwellings of three or more dwelling units</b>	<b>At least one covered bicycle space for each dwelling unit.</b>
<b>2. Parking lots: All public, commercial, and institutional parking lots</b>	<b>1 bicycle space for every 10 motor vehicle parking spaces.</b>

Finding: The proposal is for an addition to an existing dental office. As a commercial use, the dental office would be required to provide one bicycle parking space. The applicant’s written narrative states one bicycle parking space is provided under the covered porch.

Therefore, the criteria are met.

**G. In calculating the number of required spaces, fractions shall be rounded up to the nearest whole number.**

Finding: As shown on the submitted floor plan, the floor area total will be 4,096 square feet. Thus, 11.7 parking spaces are required. The fractional number was rounded up to a required 12 parking spaces.

Therefore, the criterion is met.

**H. For existing buildings in the commercial zone in the downtown area where space is restricted and bicycle parking cannot be provided safely, the planning commission may waive the bicycle parking requirements. [Ord. 1169 § 2, 2007; Ord. 1116 § 1, 2003; Ord.**

Finding: The subject site is located at 582 and 554 Laurel Street. The subject site is not in the downtown area.

Therefore, this criterion is not applicable.

**17.90.020 Off-street loading.**

**B. Merchandise, Materials or Supplies. Buildings or structures to be built or substantially altered which receive and distribute material or merchandise shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use. Off-street parking areas used to fulfill the requirements of this chapter shall not be used for loading and unloading**

**operations except during periods of the day when not required to take care of parking needs. [Ord.1037 § 1, 1997; Ord. 950 § 79, 1991.]**

Finding: The submitted site plan shows sufficient area to adequately serve the existing and proposed loading needs. On-site parking areas will not be impacted by loading activities.

Therefore, the above criterion has been met.

**17.90.030 General provisions – Off-street parking and loading.**

**A. Submission of Parking Plans and Changes of Use. The provision and maintenance of off-street parking and loading spaces are continuous obligations of the property owner. No permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this chapter. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it shall be unlawful and in violation of this chapter to begin or maintain such altered use until the required increase in off-street parking or loading is provided.**

Finding: The Applicant submitted a site plan in compliance with the requirements of the above standard. The proposed dental office addition and required parking are on two legal lots in two different zoning districts. The dental office and its proposed addition are in the Commercial/Residential zone at 582 Laurel Street and the required parking in the R2 zone at 554 Laurel Street. As such, the following condition is warranted.

CONDITION: Prior to building permit issuance, the applicant will provide to the City a copy of a lot combining covenant recorded with Lane County stating the subject site (582 & 554 Laurel) which includes three tax lots, 6200, 6201, 6202 on Lane County Tax Assessor's map 15-04-32-33 must hereafter be sold together without separation of the lots or portions thereof as a single unit of land so long as a structure is on the land.

Therefore, as conditioned, the criteria can be met.

**B. Requirements for Buildings and Uses Not Specifically Listed. Requirements for types of buildings and uses not specifically listed herein shall be determined by the city administrator based upon the requirements of comparable uses listed.**

Finding: The proposal is for an addition to an existing dental office and expanded parking. Dental offices are specifically listed under JCMC 17.90.010(E)(6)(d).

Therefore, this criterion is not applicable.

**C. Multiple Uses in Structure or on Parcel. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.**

Finding: The proposal is for an addition to an existing dental office and expanded required parking. The dental office is the only use proposed.

Therefore, this criterion is not applicable.

**D. Agreements for Joint Use. Owners of two or more uses, structures or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap; provided, that satisfactory legal evidence is presented to the city in the form of deeds, leases or contracts to establish the joint use. Failure to utilize this parking will constitute a violation of this chapter. If owners eliminate parking spaces or if the approved agreement expires, it shall constitute a violation of this chapter.**

Finding: The Applicant is not proposing joint use.

Therefore, this criterion is not applicable.

**E. Distance of Parking from Use. Off-street parking spaces shall be located on the same lot with the building. However, nonresidential required parking spaces may be located not farther than 400 feet from the building or use they are required to serve, measured in a straight line from the building, and shall be used by the business's employees. Exceptions to this requirement are listed in JCMC 17.90.010(B).**

Finding: Parking is proposed to be available within 400 feet of the use associated with this proposal.

Therefore, the above criterion is met.

**F. Parking Space Usage. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.**

Finding: The applicant indicated the criteria was not applicable in the written narrative. Thus, the applicant is aware of the criteria.

Therefore, the criterion has been sufficiently addressed.

**G. Visual Clearance and Safety Hazards. Off-street parking of any vehicle, watercraft, or parts designed to be affixed thereto, which creates a vision clearance problem, as defined in JCMC 17.05.020, 17.95.090 and Appendix A, or potential safety hazard shall not be allowed in any required yard.**

Finding: The proposed parking is outside any potential vision clearance areas and any potential safety hazards to the greatest extent possible. Existing parking and loading areas are located in the R2, Duplex Residential zone, outside of any yard area requirements.

Therefore, the above criterion has been satisfied.

**H. Design Requirements. Design requirements for parking lots and spaces, with the exception of single-family and duplex dwelling units:**

- 1. Areas used for parking, standing, and maneuvering of vehicles shall have a hard surface of asphalt or concrete and be maintained adequately for all-weather use and so drained as to avoid flow of water onto adjacent property. Lots may be paved with a permeable surface, subject to approval by the city administrator or designee. Permeable pavement parking lots may be sited anywhere, but are subject**

**to the requirements listed in subsections (I)(1) and (3) through (6) of this section. Gravel lots may be approved as a conditional use as outlined in subsection (I) of this section. Size of standing and maneuvering areas, in addition to the required number of parking spaces, shall comply with the areas illustrated in Appendix A, Diagram 14.**

Finding: As noted earlier in this report 12 parking spaces are required based upon the use and square footage. The written narrative states the parking area will be paved with asphalt. Additionally, the site plan shows the parking spaces are marked, and measure 9 ft x 20 ft with a one-way drive aisle in excess of 20 feet in width and located within 400 feet of the building. No gravel parking areas are proposed. All standing and manoeuvring areas are shown to comply with the standards listed above.

Therefore, the criteria listed above have been met.

**2. Except for parking to serve single-family detached, townhome, or duplex residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents by the erection between the uses of a sight-obscuring fence of not less than four feet in height except where vision clearance is required by this code.**

Finding: The subject site is made up two legal lots and abuts West 6<sup>th</sup> Avenue along the north property line. Properties to the east and south are zoned Duplex Residential (R2). The applicant's written narrative states there will be a fence on along the south property line. There is no indication of the fence being site-obscuring or the height. Thus, the following condition is warranted.

CONDITION: Prior to issuance of a certificate of occupancy, a sight-obscuring fence at least four feet tall will be constructed along the south property line.

Therefore, as conditioned the criteria can be met.

**3. Parking spaces within a parking lot shall be designed and constructed so that no portion of a parked vehicle, including an opened door, will extend beyond the property line.**

Finding: As noted earlier in this report 12 parking spaces are required. As submitted, the parking shown on the site plan complies with the above criteria.

Therefore, the criteria are met.

**4. Artificial lighting which may be provided shall be so arranged as to not produce direct glare on any abutting or adjacent residential zone or on any adjacent dwelling.**

Finding: As submitted, the parking shown on the site plan complies with the above criteria.

Therefore, the criteria are met

**5. Access aisles shall comply with the aisle widths illustrated in Appendix A, Diagram 14.**

Finding: As submitted, the parking shown on the site plan complies with the above criteria.

Therefore, the criteria are met

**6. All parking spaces, except single-family detached, townhomes, and duplex residential, shall be served by a driveway designed so that no backing movements or other maneuvering within a street, other than an alley, will be required.**

Finding: As submitted, the parking shown on the site plan complies with the above criteria.

Therefore, the criteria are met

**7. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site. In no case shall two-way and one-way driveways be less than 20 feet wide and 12 feet wide respectively. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through use of rails, fences, walls or other barriers or markers on frontage not occupied by service drives. Service drives are also subject to the requirements of Chapter 17.85 JCMC.**

Finding: As submitted, the parking shown on the site plan complies with the above criteria.

Therefore, the criteria are met

**8. Lots containing more than three parking spaces shall have all spaces permanently and clearly marked.**

Finding: As submitted, the parking shown on the site plan complies with the above criteria.

Therefore, the criteria are met.

**9. If four or more off-street parking spaces are required under this code, then off-street parking and maneuvering areas adjacent to public streets and drives shall provide a minimum of two square feet of landscaping for each lineal foot of street and/or drive frontage. Such landscaping shall consist of landscaped berms or evergreen shrubbery at least two feet in height upon maturity, which shall be parallel to and adjacent to the street frontage and drive as much as practical. Additionally, one tree, which will provide a canopy of at least 300 square feet upon maturity, shall be provided for each 30 lineal feet of street frontage or fraction thereof. For a list of allowed trees, see JCMC 12.35.110. Said landscaping shall be provided with irrigation facilities and protective curbs or raised wood headers.**

Finding: As noted earlier in this report 12 parking spaces are required. A landscape plan was not submitted with the application. Landscaping which meets the criteria listed above is required prior to issuance of a certificate of occupancy. Thus, the following condition is warranted.

CONDITION: Prior to building permit issuance a landscape plan meeting the criteria in JCMC 17.90.030(H)(9) will be submitted.

Therefore, as conditioned the criteria can be met.

**10. Parking lots with 20 or more spaces shall comply with the following interior landscaping standards (see Appendix A, Diagram 13):**

**a. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of evenly distributed shade trees with shrubs and/or ground cover plants. There shall be one planter island for every 10 parking spaces. Planter islands shall be a minimum of eight feet in width (exclusive of the curb) and a full parking space in length and contain one deciduous shade tree (a minimum two inches in caliper at planting). Tree species shall be limited to those species specified in JCMC 12.35.110. The parking islands shall be fully landscaped with shrubs and ground cover, which will not exceed three feet in height at maturity. Bark mulch shall not be an acceptable substitute for vegetation.**

**b. A minimum six-foot-wide planter area shall separate and visually screen parking from building facades with living area windows. The planting area shall include a mix of ground cover, shrub, and/or tree species of appropriate size and growth habit. At least one small tree or large shrub with mature canopy no larger than 10 feet in diameter shall be provided for each 50 lineal feet of building.**

**c. Where a parking, maneuvering area, or driveway is adjacent to a commercial building, the area shall be separated from the building by a curb and a raised walkway, plaza or landscaped buffer not less than five feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles.**

**d. The property owner shall be responsible for maintaining the landscaped areas to the specified standards.**

Finding: As noted earlier in this report 12 parking spaces are required, less than 20 spaces noted in the criteria above.

Therefore, the criteria are not applicable.

**11. Parking lots with 80 spaces or more shall additionally comply with the following standards:**

**a. Parking area shall be divided into separate areas by landscaped areas or raised walkways at least 10 feet in width, or by a building or group of buildings (see Appendix A, Diagram 13).**

**b. A continuous internal, raised, pedestrian walkway, no less than eight feet in width, shall be provided from the public sidewalk or right-of-way to all customer entrances of all buildings on site, and to all public sidewalks and paths abutting the development site.**

Finding: As noted earlier in this report 12 parking spaces are required, less than 80 spaces noted in the criteria above.

Therefore, the criteria are not applicable.

**12. Commercial, industrial, multifamily, and mixed use developments with two or more buildings shall provide safe, reasonably direct, and convenient pedestrian connections between primary building entrances and between building entrances and all adjacent streets. Where walkways cross a driveway or street, they shall be clearly marked with contrasting paving materials, painted striping (“crosswalk”), or humps/raised crossings (see Appendix A, Diagram 13).**

**13. New off-street parking lots located in R3, R4, CR, C2, and GC zones shall be placed to the rear or side of the building in accordance with JCMC 17.20.100 (R3 zone), 17.30.080 (C2 zone), and 17.35.080 (GC zone).**

Finding: As noted earlier in this report 12 parking spaces are required. new off-street parking is proposed as part of this application. As submitted, the parking shown on the site plan complies with the above criteria.

Therefore, the criteria are met.

### **JCMC 17.130 CONDITIONAL USES**

#### **17.130.030 Public hearing on conditional use.**

**A. Before the planning commission may act on a request for a conditional use, it shall hold a public hearing. The hearing shall be held within 40 days after the application for the conditional use is filed. Notice of the hearing and criteria for granting or denying a permit shall be as follows:**

See JCMC 17.150.080, Notice.

**B. Based on the testimony provided at the hearing, the planning commission shall develop findings of fact to justify either approving or denying a conditional use permit. The planning commission may approve such requests when it is determined the request is in conformance with all the following requirements:**

- 1. The proposal is in conformance with the zoning ordinance;**
- 2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission;**
- 3. Public facilities are of adequate size and quality to serve the proposed use; and**
- 4. The proposed use will prove, or can be made to be through imposing conditions, reasonably compatible with surrounding properties. [Ord. 1037§ 1, 1997; Ord. 950 § 100, 1991.]**

Finding: As stated and conditioned within this the report, the findings at JCMC 17.15.020 and 17.40.010, demonstrate the proposal conforms with the applicable zoning ordinances.

The proposed development site consists of two legal lots equaling 14,811 square feet. Therefore, the parcel is adequate in size and shape to accommodate the proposed use.

The existing dental office currently receives city water, sewer, stormwater, and garbage services. Referrals were sent to city departments including Public Works, as well as outside affected agencies. No concerns were received regarding this proposal.

Through the findings and conditions stated within this report, the proposed use is considered compatible with the surrounding properties.

Therefore, these criteria have been met.

## **JCMC 17.160 DEVELOPMENT STANDARDS**

### **17.160.050 Development requirements.**

**The following requirements shall pertain to all development falling under the categories identified in JCMC 17.160.020:**

**A. The Applicant shall complete a building permit application as provided by the city and a site plan. The site plan shall be drawn to scale and show all existing and proposed structures and their exterior dimensions; all streets, alleys and other public right-of-way; existing and proposed utility lines and/or easements; building setbacks; location of utilities and proposed connection routes; off-street parking; curb cut and sidewalk locations and dimensions and a drainage plan. When required in a conditional use permit or in a major development, the city may require the Applicant to supply landscape plans, screening, lighting, fire flow and similar requirements.**

Finding: The applicant stated a willingness to comply with the requirements of this chapter upon building permit submittal.

Therefore, the criteria have been satisfied.

**B. Where the Applicant's development site abuts existing curb and gutter, sidewalks in conformance with city standards are required to be constructed to the extent curb and gutter exist at the time of application.**

Finding: There are currently curbs, gutters, and sidewalks abutting the subject site. The applicant states in the written narrative the curbs, gutters and sidewalks will remain.

Therefore, the criteria have been met.

### **C. Pedestrian Access and Circulation.**

**1. Internal pedestrian circulation shall be provided in new and expansions of commercial, office, and multifamily residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, accessways, or similar techniques.**

Finding: The applicant states in the written narrative the existing internal pedestrian circulation will remain. A landscape plan was not submitted with this proposal. Thus, a condition of approval was added requiring a landscaping plan be submitted prior to issuance of building permits.

Therefore, the criteria can be met.

### **2. Commercial Development Standards.**

**a. New commercial buildings, particularly retail shopping and offices, shall be encouraged to orient to the street, near or at the setback line. A main entrance shall be oriented to the street. For lots with more than two front yards, the building(s) shall be oriented to the two busiest streets.**



**b. Off-street motor vehicle parking for new commercial developments shall be encouraged to locate at the side or behind the building(s).**

Finding: The main entrance of the existing dental office is oriented to the with parking to the rear of the building.

Therefore, the criteria are met.

**3. All site plans (industrial and commercial) shall clearly show how the site's internal pedestrian and bicycle facilities connect with external existing or planned facilities or systems.**

Finding: As addressed under criteria earlier in this report, bicycle parking is required in commercial, multi-family and/or institutional developments. The bicycle parking will be conveniently located under the covered porch. Existing internal pedestrian circulation will remain with sidewalk access to the expanded relocated parking.

Therefore, the criteria have been met.

**4. Development covered under this chapter shall ensure all pedestrian facilities on site and adjacent to the site are handicapped accessible, as required by state and federal laws.**

Finding: As shown on the submitted site plan, there are 12 parking spaces, the Oregon Building Code requires one ADA parking space. The applicant's site plan shows 12 marked parking spaces one of which is an ADA parking space.

Therefore, the above criteria are met.

**D. The Applicant shall be required to participate in public facilities, such as water, wastewater, drainage, curb, gutter, sidewalk and street right-of-way adjacent to the development in conformance with city standards and provide easements or deeds to the city for all such public facilities. However, where it is determined that delaying the design and construction of any or all such facilities is not appropriate and logical, or causes an adverse impact on surrounding properties, the city may require the developer to construct and dedicate all such improvements as a condition to development.**

Finding: The subject site is developed with an existing dental office. Should additional development on the subject site require construction of additional public facilities, this report serves as notice to the applicant of this requirement.

Therefore, the above criterion has been addressed.

**E. Where it has been determined that the extension of public facilities is required, all costs related to such extension shall be borne by the developer. In addition, any extension of such facilities shall be continued and extended in a logical fashion to the extent of the development site so as to be readily available for adjacent development.**

Finding: The subject site is developed with a dental office. Should additional development on the subject site require extension of public facilities, this report serves as notice to the applicant of this requirement.

Therefore, the above criterion has been addressed.

**F. Where such improvement installed by a developer shall benefit other properties, a mutually agreeable settlement shall be arrived at between the city and the developer prior to installing the improvements. This agreement shall identify the benefiting properties, actual costs to be charged and method of repayment to the developer. Where prior agreement exists for improvements benefiting the subject property, the Applicant shall make arrangements with the city for the payment of such improvements prior to issuance of any city permit.**

Finding: The subject site is developed with a dental office. Should additional development on the subject site require extension of public facilities, this report serves as notice to the applicant of this requirement.

Therefore, the above criteria have been addressed.

**G. The developer shall provide proof of review and approval by all affected state and/or county agencies, such as the State Department of Transportation or county planning department.**

Finding: The subject site is not located along a state or county transportation facility, nor is it located in a flood zone or wetland as noted earlier in this report.

Therefore, the criteria are not applicable.

**H. The proposed use shall not impose an undue burden on the public transportation system. For developments that are likely to generate more than 400 average daily motor vehicle trips (ADTs), the Applicant shall provide adequate information, such as a traffic impact study or traffic counts, to demonstrate the level of impact to the surrounding street system. The developer shall be required to mitigate impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.**

Finding: The subject site is developed with a dental office. The current proposal is for a 2,057 square foot addition. The proposal will not generate more than 400 average daily motor vehicle trips.

Therefore, the criterion can be met.

**I. Dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways shall be required where the existing transportation system will be impacted by or is inadequate to handle the additional burden caused by the proposed use.**

Finding: The subject site abuts West 6<sup>th</sup> Avenue to the north, and Laurel Street to the west in an older established section of the city. Transportation facilities are fully developed in the area.

Therefore, the criteria are met.

**STAFF RECOMMENDATION**

Planning recommends to the Planning Commission approval of the Conditional Use Permit and Development Review application to allow a 2,057 square foot addition to the existing dental office with required parking.

**CONDITIONS OF APPROVAL**

1. Prior to building permit issuance, the applicant will provide to the City a copy of a lot combining covenant recorded with Lane County stating the subject site (582 & 554 Laurel) which includes three tax lots, 6200, 6201, 6202 on Lane County Tax Assessor's map 15-04-32-33 must hereafter be sold together without separation of the lots or portions thereof as a single unit of land so long as a structure is on the land.
2. An approved landscape plan is required prior to issuance of building permits.
3. Prior to issuance of a certificate of occupancy, a sight-obscuring fence at least four feet tall will be constructed along the south property lines.
4. Prior to building permit issuance, a landscape plan meeting the criteria in JCMC 17.90.030(H)(9) will be submitted.

*For more information on the Planning Department conditions above, contact Tere Andrews, Planning Technician at 541-998-3125, or by email at: [tandrews@ci.junction-city.or.us](mailto:tandrews@ci.junction-city.or.us)*

**Informational Items:**

1. Outdoor storage is not permitted.
2. An approved Public Works Access Permit is required at the time of building permit issuance.
3. All parking spaces are to measure 9' x 20' and be permanently and clearly marked.

**Other Requirements:**

1. The Applicant shall be responsible for ensuring that the proposed development authorized under this application is consistent with and complies with all conditions of approval established by other agencies with right-of-way and access management jurisdiction, prior to issuance of building permits.
2. The site shall be in compliance with Federal Americans with Disabilities Act standards as they relate to the current proposal.