



**PLANNING DEPARTMENT STAFF REPORT AND FINDINGS**

**ROLLING MEADOWS MINOR PARTITION – PRELIMINARY PARTITION APPROVAL**  
 (File MP 23–10)

**Application Summary:**

The request is for preliminary approval for a minor partition. The applicant’s proposal calls for the division of Lot 1 of Phase 1 of the Rolling Meadows PUD. Parcels 1 and 2 will be accessed onto 10<sup>th</sup> Avenue. The PUD occupies Tax Lots 2400 and 2500, Assessor’s Map 15–04–31–00.

**Applicant:** Pacific National Development, Inc., P.O. Box 3550, Salem, Oregon 97302.

**Applicant’s Representative:** Marc Cross, Rhine–Cross Group, LLC, 112 N. 5<sup>th</sup> Street, Suite 200, Klamath Falls, OR 97601.

**Staff Contact:** Tere Andrews, Planning Technician, 1171 Elm St., Junction City OR 97448, [jcplanning@ci.junction-city.or.us](mailto:jcplanning@ci.junction-city.or.us), 541-998-3125; Gary Darnielle, Principal Attorney, Lane Council of Governments, [gdarnielle@lcog.org](mailto:gdarnielle@lcog.org), 41–228–7087.

**Subject Property/Zoning/Location:** The subject site is 7,247 square feet in size and is located on the south side of W 10<sup>th</sup> Avenue. The subject property has addresses of 2387 and 2389, W 10<sup>th</sup> Avenue. The subject property is currently zoned R2 Duplex Residential and is designated as Medium Density Residential by the Comprehensive Plan.

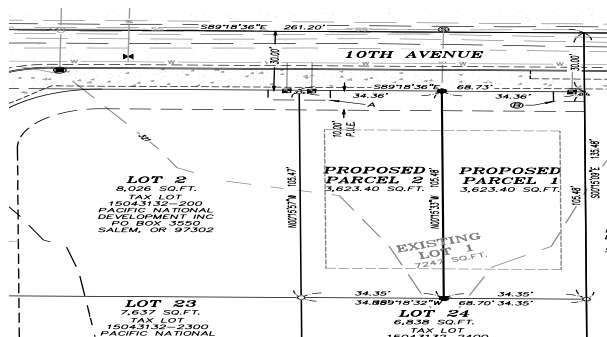
**Relevant Dates:** Application submitted on March 21, 2023; submittal package deemed complete on April 19, 2023. The application will be heard by the Junction City Planning Commission on May 16, 2023.

**Request**

The applicant is seeking minor partition approval for the division of the subject property into two parcels each 3,623 square feet in size. Both parcels have 34.36 feet of frontage on W 10<sup>th</sup> Street and are about 105.5 feet deep.

**Preliminary Partition Plan Map**

As noted above, the applicant has proposed to divide Lot 1 of Phase I of the Rolling Meadows PUD into two parcels:



### Public Notice and Referrals

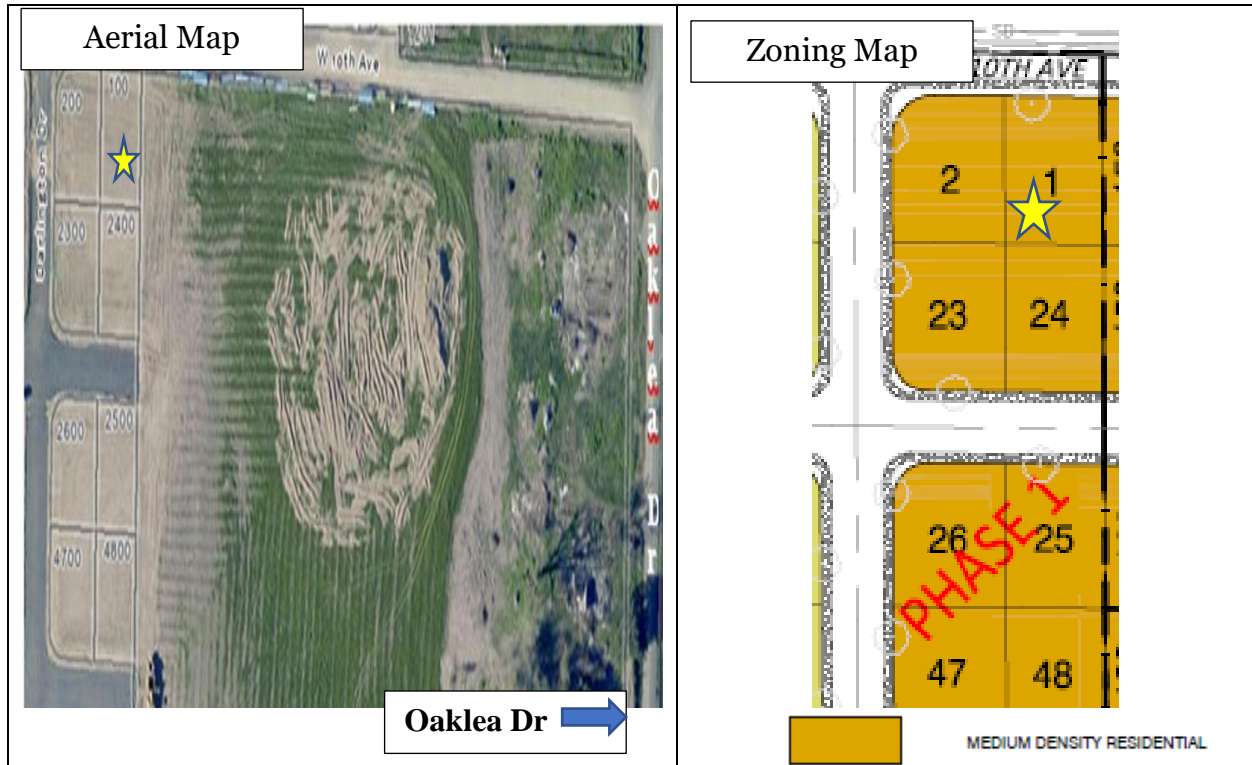
Public notice of the proposed development is required under Junction City Municipal Code for Type II applications. The Planning Department mailed notice of the application on April 25, 2023 in accordance with the applicable requirements of (JCMC) 17.150.080(A)(1)(b). Referrals went out on April 24, 2023.

Referral comments on the application were requested from various affected service providers and City departments on April 24, 2023. Pertinent referral comments are listed below and included as attachment 1 of this report.

- **Junction City Fire & Rescue, Bob Trout**–
- **Lane County Transportation Engineering Services, Sasha Vartanian** –**Junction City Public Works, Gary Kaping** –**EPUD, John Norrena** – The property owner is encouraged to coordinate planned work with EPUD as soon as practical as changes to the current service will be required.

All referral comments received by the Planning Department on this application are included in the application file for reference. Additionally, comments are addressed in the context of applicable Development Review approval criteria and standards in the following evaluation.

### General Property Information



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The Applicant’s submitted preliminary partition plan shows Lot 1, Phase 1 of the Rolling Hills PUD and adjacent tax lots. The subject property and adjacent parcels are currently zoned R2 Duplex Residential by the city.

**Evaluation:**

The following findings demonstrate that the proposed partition can conditionally comply with all applicable approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC) if granted an exception to the lot width and frontage requirements, respectively, of Sections 16.05.050.E.1.a. 1 and iv. The exception process is found in Section 16.05.050.E.1.b. of the JCMC. Relevant application requirements and approval criteria are addressed at JCMC 17.10 Duplex Residential Zone, JCMC 10.010 Purpose, JSMC 16.030 Minor Partition procedure, and 16.05.050 Platting and mapping standards The following evaluation includes findings of compliance with the applicable criteria and related standards as provided in the JCMC, with conditions of approval and other requirements or informational items noted where appropriate. The approval criteria and related standards are listed below in **bold**, with findings addressing each.

**JCMC CHAPTER 17.05 DUPLEX RESIDENTIAL ZONE (R2)**

**JCMC 17.05.010 Uses permitted outright.**

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

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

**Finding 1:** The applicant is proposing to divide the subject property to allow attached single–family residential development.

As stated in the findings above, this criterion has been met.

**JCMC 17.05.030 Lot Size**

- 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 multi–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.**

**Finding 2:** Section 17.05.030.B of the JCMC was changed to allow attached single-family dwellings that have a minimum lot area of 3,500 square feet. The applicant has asked the Planning Commission for an exception under Section 16.05.050.E.1.b to the minimum lot width as the two parcels are a little less than 35 feet in average width. These criteria have been met if this exception is granted.

**JCMC 17.05.040 Setback requirements**

**In an R2 zone, there are setback standards for front, side and rear yards. The minimum setback standard is six feet for side yards.**

**Finding 3:** When single-family development is proposed it will have to meet the applicable setback standards.

Therefore, this criterion has been met.

**JCMC CHAPTER 16.05 SUBDIVISIONS**

**16.05.030 General Provisions**

**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 4:** An application for a minor partition, accompanied by a preliminary plan, was submitted on March 21, 2023 to the secretary of the planning commission.

**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.

**Finding 5:** The preliminary plan was submitted electronically at a scale of 1" = 20'.

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

1. The dimensions and parcel lines of all parcels.

**Finding 6:** The preliminary plan has the dimensions of both parcels. The final plat must have this information.

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 7:** The preliminary plan depicts the boundaries of all contiguous property; with property on the east, west and south under the same ownership and owned by the applicant.

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 8:** The preliminary plan has the date, north point and scale of the drawing. The demensions of the property are adequately identified as adjacent tax lots are identified and numberd. The legal description of the property is Lot 1, Rolling Meadows PUD Phase 1. Neither

the preliminary partition plan nor the supplemental materials identify the assessor's account number (Act #1914516).

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

**Finding 9:** The name and address of the owner/partitioner is present on the preliminary plan and its telephone number. However, the telephone number is included on the application form. The applicant's representative's name and address is listed on the preliminary plan as is Marcus Cross, the applicant's surveyor.

**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 10:** The preliminary plan shows W 10<sup>th</sup> Avenue and Darlington Avenue and their right-of-way widths of 30 feet and 50 feet, respectively.

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

**Finding 11:** The preliminary plan depicts the layout of the proposed parcels and their number. The complete dimension of each parcel is included and their square footage.

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

**Finding 12:** The preliminary plan shows that the lot is vacant. The preliminary plan lists the setback standards associated with the R2 Zone.

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

**Finding 13:** The preliminary plan shows the location of two dedicated water easements and a public utility easement. These easements were dedicated as part of the approval of Phase 1 of the Rolling Meadows Subdivision.

**Condition of Approval #1:** The final plat must show all easements. All easements must be recorded and the public utility easements dedicated to the City prior to final plat approval.

**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:**

**Finding 14:** This criterion should be interpreted to applying only to minor partition applications that include a previously recorded plat and where the lots average one-half acre each.

The subject lot is incorporated within the recorded plat of Phase 1 of the Rolling Meadows Subdivision. Lot 1 is about one-sixth of an acre in size. The lots in Phase 1 of the Rolling Meadows subdivision average substantially less than one-half acre. This criterion is therefore not applicable.

**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 15:** The City Superintendent of Public Works reviewed the preliminary plan and commented that each lot will need its own sewer connection the units can not share a sewer lateral. Each also must have their own water meter. There will need to be some kind of maintenance agreement with these lots for things like the roof and fences.

## **2. Planning Commission Review**

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

**Finding 16:** The planning commission will be reviewing the preliminary plan on May 16, 2023.

**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 17:** The applicant has suggested that the intent is to occupy each partition parcel with an attached single-family dwelling. Each parcel is slightly larger than 3,600 square feet in area. Since the R2 zoning district requires a minimum of 3,500 square feet for an attached single-family dwelling the parcel is large enough for the intended use but not large enough for further division. This criterion has been met.

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

**Finding 18:** The Junction City Comprehensive Plan does not have any policies that are directly relevant to the proposed division. However, the partition, if approved, could result in the addition of two attached single-family dwellings, which would result in a density of a little over 12 units per acre for the subject property. The Comprehensive Plan [pg 14] states that the medium density residential designation has a typical density of between 8 and 12 units per acre.

Section 16.05.010 of the JCMC notes that the purpose of Chapter 16 is, in part, to carry out the development pattern and plan of Junction City. In this regard, the proposed partition would result in the infill of an area in Junction City that is already developed with residential uses.

### **16.05.050 Platting and mapping standards**

#### **A. Streets**

##### **1. Dedication**

**a. Generally. The planning commission may require adequate and proper streets, including arterials, collector streets, local streets, and other streets, to be dedicated to the public by the partitioner or subdivider, of such design and in such location as are necessary to facilitate provision for the transportation and access needs of the community and the partition or subdivision area, in accordance with the purpose of this chapter.**

**Finding 19:** No new street is required by the proposed minor partition. The subject property is served by W 10<sup>th</sup> Avenue.

**b. Master Street Plan**

**Finding 20:** No Master Street Plan has been submitted nor is it necessary as the proposed parcels will be served by the existing transportation system.

**2. Width**

**a. Generally. Widths of street right-of-way and paving design for streets shall be not less than those set forth in the table below; except that for a street abutting land not in the partition or subdivision area a lesser width may be allowed, in the discretion of the planning commission, where the partitioner or subdivider presents a satisfactory plan whereby such street will be expanded to the width otherwise required.**

**Finding 21:** No new streets are proposed.

**b. Existing Adjacent Street. The widths of street right-of-way provided in the table below shall be the minimum widths of right-of-way for streets existing along and adjacent to any boundary of the partition or subdivision area; and the partitioner or subdivider shall dedicate additional right-of-way, as determined by the planning commission in accordance with such table, for any such adjacent street where the existing width of right-of-way for such street is less than the minimum in such table.**

**Finding 22:** The street adjacent to the subject property is W 10<sup>th</sup> Avenue. W 10<sup>th</sup> Avenue is classified by the Junction City Transportation System Plan as an major collector. It has a 60-foot right-of-way, which is a typical right-of-way width for a major collector.

**c. Slope easements shall be dedicated in accordance with specifications adopted by the council under this section:**

**Finding 23:** No slope easements are required.

**2. Reserve Strips. The planning commission may require the partitioner or subdivider to create a reserve strip controlling the access to a street, said strip to be placed under the jurisdiction of the council, when the planning commission determines that a strip is necessary:**

**Finding 24:** The subject property is surrounded on three sides by existing development and a reserve strip is not necessary to prevent access to abutting land at the end of a street, to prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards, to prevent access to land abutting a street of the partition or subdivision, or to prevent access to land unsuitable for building development.

**4. Intersections of Streets.**

**Finding 25:** No new street is proposed so that the property intersection of streets is not applicable.

**5. Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions, in accordance with the purpose of this chapter.**

**Finding 26:** No new street is proposed so that the issue of topography is not applicable.

**6. Future Extension of Streets.**

**7. Cul-de-sacs.**

**8. Street Names.**

**9 Grades and Curves.**

**10. Shared Access.**

**Finding 27:** No new street or cul-de-sac is proposed and therefore there is no extension of an existing street, no need for a street name or shared access. Grades and curves are also inapplicable as no new street is proposed.

**B. Alleys**

**Finding 28:** This criterion is inapplicable as no new alley is proposed.

**C. Blocks**

**1. Block Length. Block length shall not exceed 600 feet. In residential and commercial zones, maximum block perimeter shall be 1,600 feet.**

**Finding 29:** The minor partition does not create blocks and the proposed parcels are only 105 feet deep.

**2. Street Connectivity. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and developments greater than two acres in size shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:**

**a. The proposed development shall include street connections in the direction of all existing or planned streets within one-quarter mile of the development site. The proposed development shall also include street connections to any streets that abut, are adjacent to, or terminate at the development site.**

**b. The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site.**

**c. The requirements of subsections (C)(2)(a) and (b) of this section do not apply if it is demonstrated that the connections cannot be made due to impact of natural resource areas such as wetlands, streams, or upland wildlife habitat area or where existing development on adjacent lands, including previously subdivided vacant parcels, precludes a connection now or in the future.**

**Finding 30:** The parcels created by the minor partition are less than two acres in size. This criterion is inapplicable.

**3. Pedestrian Ways.**

**Finding 31:** No pedestrian ways are proposed.

**4. Easements for Utilities. Dedication of easements for stormwater sewers and for access thereto for maintenance, in order to safeguard the public against flood damage and the accumulation of surface water, and dedication of easements for sanitary sewers and for access thereto for maintenance, and dedication of easements for other public or private utilities, may be required of the partitioner or subdivider by the planning commission**



along lot rear lines, lot side lines, or elsewhere as necessary to provide needed facilities for present or future development of the area in accordance with the purpose of this chapter. Easements for utility lines shall be not less than 14 feet in width; except that, for an easement abutting land not in the partition or subdivision area, a lesser width may be allowed, in the discretion of the planning commission, where the petitioner or subdivider presents a satisfactory plan whereby such easement will be expanded to the width otherwise required.

**Finding 32:** The preliminary plan shows a 5' x 15' water easement, a 5' x 7.5' water easement, and a public utility easement; all dedicated to the city.

#### **D. Perimeter Fences.**

**Finding 33:** No back yard abuts an existing or planned street and therefore no perimeter fence is required. The preliminary plan does not identify any proposed fencing.

#### **E. Lots.**

##### **1. Size and Frontage**

###### **a. General Requirements.**

**Finding 34:** Section 17.15.030. of the JCMC requires a minimum lot width of 50 feet, a minimum lot area for an attached single-family dwelling of 3,500 square feet, and a minimum depth of 75 feet. The proposed parcels are slightly less than 35 feet wide and the applicant will need an exception to the lot width standard of 17.15.030.E of the JCMC.

###### **b. Exceptions**

**Finding 35:** None of the circumstances under which an exception can be created are applicable.

##### **2. Key Parcels or Lots and Butt Parcels or Lots.**

**Finding 36:** No key or butt parcels are proposed.

**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 37:** The parcel side lines run at right angles to W. 10<sup>th</sup> Avenue.

**4. Suitability for Intended Use.** All parcels and lots shall be suitable for the purpose for which they are intended to be used. No parcel or lot shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the partition or subdivision area or of such parcel or lot, as determined by the planning commission in accordance with the purpose of this chapter.

**Finding 38:** The proposed parcels are large enough for their intended residential use for attached single-family dwellings.

**5. Future Partitioning or Subdivision of Parcels or Lots.** Where the partition or subdivision will result in a parcel or lot one-half acre or larger in size which, in the judgment of the planning commission, is likely to be partitioned or subdivided in the future, the planning commission may require that the location of parcel or lot lines and other details of layout be such that future partition or subdivision may readily be made

without violating the requirements of this chapter and without interfering with orderly extension of adjacent streets.

**Finding 39:** The proposed parcel sizes are too small to be further divided.

**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 40:** No panhandle is proposed.

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

**Finding 41:** The subject property is located in an approved PUD/subdivision. Drainage issues have been addressed in that approval process.

**G. Railroads.**

**Finding 42:** The subject property is not located adjacent or near to a railroad crossing or right-of-way.

**I. Recreational Area.**

**Finding 43:** This criterion is not applicable as it only applies to subdivisions.

**J. Building Lots Filled.** All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of the Oregon Structural, Specialty and Fire and Life Safety Code.

**Finding 44:** This criterion can be made a condition of approval.

**Condition of Approval #2:** All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of the Oregon Structural, Specialty and Fire and Life Safety Code.

**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 45:** This criterion can be made a condition of approval.

**Condition of Approval #3:** 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.

**L. Utility Access.** All accesses to utilities are to be brought to finish grade.

**Finding 46:** This criterion can be made a condition of approval.

**Condition of Approval #4:** All accesses to utilities are to be brought to finish grade.

### **16.05.070 Modification of provisions**

An applicant is allowed to apply for a modification of the provisions of JCMC 16.05.040 through 16.05.060. In specific, the applicant wishes to modify the lot width standards of Section 16.05.050.E.1.a. The modification standards allow the planning commission to approve a modification of a provision in 16.05.050 if (1) the provision would cause unique and unnecessary hardship to the partitioner; (2) that there are unusual topographic conditions or previous layout of the partition area that reasonably require the modification; and (3) the modification would not be substantially injurious to the best use and value of property in the neighboring area.

**Finding 47:** If the PUD permit is amended to reflect the proposed partition, then compliance with the 50' lot width standards of 16.05.050.E.1.a would be a hardship to the partitioner and not consistent with the previously modified layout. Finally, the proposed modification would not be substantially injurious to the best use and value of property in the neighboring area as it would be located within an area of seven other similar minor partitions and the resulting partitions will comply with the minimum lot size allowed by the zoning ordinance.

### **Recommendation:**

Based upon the available information and findings set forth above, it is concluded that the proposed minor partition (MP 23-10) conditionally complies with the applicable approval criteria and related standards set forth within the Junction City Municipal Code. Approval of the Applicant's application for a minor partition is therefore granted, subject to the Conditions of Approval noted below. Additional requirements and informational items related to the subsequent building permit processes are also included below, for the Applicant's benefit.

### **Planning Department Conditions of Approval:**

**Condition of Approval #1:** The final plat must show all easements. All easements must be recorded and the public utility easements dedicated to the City prior to final plat approval.

**Condition of Approval #2:** No certificate of occupancy shall be issued until the project is completed in accordance with approval conditions, and Titles 16 and 17 of the JCMC.

**Condition of Approval #3:** All building lots shall be filled in accordance with accepted engineering practice. All fill shall be placed in accordance with Chapter 70 of the Oregon Structural, Specialty and Fire and Life Safety Code.

**Condition of Approval #4:** 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.

**Condition of Approval #5:** All accesses to utilities are to be brought to finish grade.

**Condition of Approval #6:** Preliminary plan approval is subject to the provisions of Section 16.05.040.D of the JCMC and is valid for two years. Approval of the preliminary plan may be extended for an additional two years.

**Condition of Approval #7:** Final plat approval is subject to the requirements of 16.05.040.F of the JCMC.

*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)*

## **Attachments**

1. Referral comments received for MP-23-10
2. Request for Comments and Comments received
3. Application materials