

Staff Report Date:
April 12, 2022

Lead Staff:
Henry O. Hearley, LCOG
Paula Taylor, LCOG
Tere Andrews, Junction City

FINDINGS AND RECOMMENDATION OF THE PLANNING DEPARTMENT:

MILLIRON ROAD ANNEXATION AND REZONE PROPOSAL (A-21-20 & RZ-21-21)

Application Summary:

An Annexation and Rezone request for one parcel located on Map and Tax Lot 16-04-17-00-01601 (5.12 acres)

Owner(s):

Freeman Chauncey, 2530 West 23rd Ave, Eugene, OR 97405

Applicant(s):

Freeman Chauncey, 2530 West 23rd Ave, Eugene, OR 97405

Applicant(s) Representative:

Kristen Taylor, CSBA, Senior Director/Planning Director, TBG Architects and Planners

Lead City Staff:

Henry Hearley & Paula Taylor, Lane Council of Governments Planners & Tere Andrews, Junction City Planning Technician

Subject Property/Zoning/Location:

Map and Tax Lot 16-04-17-00-01601 (5.12 acres). Present Lane County Zoning Designation: Rural Residential 5 (RR5). Junction City Comprehensive Plan Designation: Commercial. Requested City Zoning Designation: General Commercial (GC).

Relevant Dates:

Application submitted on November 19, 2021.

Deemed Complete on January 21, 2022.

Referrals sent on January 25, 2022.

300-foot/public notices mailed on February 14 and March 17, 2022.

Notice published in the Register Guard Newspaper on February 14, March 10 and 14, and April 6 and 13, 2022.

Department of Land Conservation and Development (DLCD) Notice of Proposed Zone District Amendment on January 21, 2022.

Notice was posted on March 17, 2022, in the following locations:

City Hall, 680 Greenwood Street

Junction City Library, 726 Greenwood Street

Junction City Community Center, 175 West 7th Avenue

Junction City Planning Office, 1171 Elm Street

Junction City Website at junctioncityoregon.gov

Junction City Planning Commission Meeting: March 16, 2022

Present Request:

The applicant is seeking an annexation and concurrent rezone approval for a property located on Map and Tax Lot 16-04-17-00-01601. Approval of this application would annex Tax Lot 01601 into city limits and be rezoned to the appropriate zoning designation of General Commercial (GC). The act of annexation and zone change does not authorize any development, appropriate building permits will have to be submitted for and obtained. The applicant is not seeking to include Milliron Road in the annexation as it is outside of the urban growth boundary (UGB).

Planning Commission Public Hearing:

On March 16, 2022, the Junction City Planning Commission held a public hearing on the proposal. Planning Commission received the staff report, the applicant's presentation and held a public hearing. No testimony in opposition to the proposal was offered. The applicant's representative spoke in support of the request and the staff recommendation to approve and forward the applications to the city council. After the public hearing was closed, the planning commission entered deliberations and made a motion to recommend approval of the annexation and rezone onto the city council for final action and approval. Planning commission recommended that a zoning designation of General Commercial be applied to the property as that is the current designation of the property as seen on the comprehensive plan map.

Public Notice and Referrals:

Staff provided notice in accordance with the applicable provisions set forth in JCMC 17.150.080(A-K). Additionally, Section 17.150.080(C) of the municipal code states:

For Type IV applications:

- 1. Notice shall be mailed to each owner whose property would be rezoned in order to implement the ordinance (i.e., owners of a property subject to comprehensive plan amendment shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment).**
- 2. If particular properties are to be affected more than, or in a manner significantly different from, other properties of the same general character within the city of Junction City, individual notice shall be prepared and mailed to those affected, including all persons within 300 feet of the affected property.**
- 3. When a proposal to change the zone of property which includes all or part of a mobile home park is to be considered at a public hearing, notice shall be sent to each existing mailing address for tenants of the mobile home park.**
- 4. Owners of airports shall be notified of a proposed zone change in accordance with ORS 227.175.**

Staff Response: The city mailed notice to surrounding property owners on February 14, and March 17, 2022, and agency referral notices on January 25, 2022. Notice of the proposal was published in the *Register Guard* on February 14, March 10 and 14, and April 6 and 13, 2022. DLCDC received notice of proposed amendment to the zoning map on January 21, 2022. See **Attachment A** for notice materials.

When the application was deemed complete, the city scheduled the application to be reviewed by the Junction City Planning Commission on March 16, 2022, and City Council on April 12, 2022.

Evaluation:

The following findings demonstrate that the proposal will comply with all applicable approval criteria and related standards as set forth in the Junction City Municipal Code (JCMC) as well the applicable Oregon Statewide Planning Goals. The approval criteria and related standards are listed below in **bold**, with findings addressing each.

JUNCTION CITY MUNICIPAL CODE COMPLIANCE

JCMC 17.145 - AMENDMENTS

17.145.010. Authorization to Initiate Amendments.

An amendment to the text or the zoning map of this ordinance may be initiated by the City Council, by the Planning Commission or by application of a property owner or his authorized agent. The Planning Commission shall, within 40 days after a hearing, recommend to the City Council approval, denial, or modification of the proposed amendment. An amendment to the text or the zoning map may be consolidated with a related amendment to the comprehensive plan text or map.

Staff Response: The applicant and property owner, initiated an amendment to the City of Junction City Zoning Map by way of a Type-IV Application. The applicant has requested to amend the City of Junction City Zoning Map to rezone the subject property and bring the subject property into the city limits. The applicant has requested a city zoning designation of General Commercial (GC), consistent with the comprehensive plan map designation (Commercial). See **Attachment B**, for the applicant’s initial application materials. As such, the above criterion has been satisfied.

17.145.020. Application and Fee.

An application for amendment by a property owner or the authorized agent shall be filed with the city. The application shall be accompanied by a fee equal to the average cost of such applications as established by the City Council.

Staff Response: The applicant submitted all application materials and payment of the appropriate application fees on November 26, 2021, for both applications before the city council. This criterion was met.

JCMC 17.165.020 – COSTS ASSOCIATED WITH ANNEXATIONS, WITHDRAWLS FROM SPECIAL DISTRICTS AFTER ANNEXATION, AND EXTRATERRITORIAL EXTENSIONS

A. Applicants for annexations, withdrawals from special districts after annexations, and extraterritorial extensions shall pay the costs of processing the annexation, including any costs associated with recording, as established by the city council.

Staff Response: The applicant is responsible for the costs of processing the annexation, including any costs associated with recording. This criterion was met.

B. Property owners within the territory requesting annexation must agree to pay all costs of extending city services. The city will require the property owners to sign a nonremonstrance agreement. The city may agree to commit its resources to extend services to an area or contribute to the costs of extending services.

Staff Response: The Public Works Director indicated to staff they will be working with the applicant to secure the nonremonstrance agreement. This will be included as a finding of fact (condition of approval) for the annexation. The nonremonstrance agreement will be signed and executed following approval by the city council; a draft copy of the agreement will be part of the Council packets. This criterion is met.

C. The city may consider formation of an assessment district in accordance with the Junction City Municipal Code during its review of the annexation request.

Staff Response: The city is not considering the formation of an assessment district. Criterion not applicable.

JCMC 17.165 - ANNEXATION, WITHDRAWAL FROM SPECIAL DISTRICTS

Section 17.165.110 Criteria.

An annexation application may be approved only if the city council finds that the proposal conforms to the following criteria:

A. The affected territory proposed to be annexed is within the city's urban growth boundary and is:

1. Contiguous to the city limits; or

2. Separated from the city only by a public right-of-way or a stream, lake or other body of water.

Staff Response: The subject property is contiguous with the current city limits along the eastern property boundary of the property. The city limits run along the entire eastern portion of the subject property. The proposed annexation is contiguous to the city limits. Criterion met.

B. The proposed annexation is consistent with applicable policies in the city of Junction City comprehensive plan and in any applicable refinement plans.

C. The proposed annexation will result in a boundary in which key services can be provided. [Ord. 1230 § 1 (Exh. A), 2015; Ord. 1182 § 2(7), 20

Staff Response: The annexation request, as submitted, was initiated in accordance with ORS 222.125 by written consent from all property owners (one property owner in total) which represents 100 percent of the landowner and 100 percent of the acres as determined by the map and tax lots. There are 3 active registered voters on the subject property, the applicant has obtained signatures from one of the three active registered voters. Therefore, the one signature of the active voter represents 33 percent of the total active registered voters that are registered in the proposed annexation. As such, the applicant is following the "Triple Majority" [ORS 222.170(1)] method for annexation. See **Attachment C** for applicant supplemental application materials.

With respect to the annexation resulting in a boundary in which key services can be provided, public works has communicated with the applicant that the property will not be required to immediately connect to city water and sewer upon annexation. However, city water and sewer are available to the subject property. At the time of connection to either city water or sewer, the applicant would be required to install water and sewer lines to the property and have a water meter installed. Should city water and sewer lines be brought to the property, at that time, the property owner would be required to pay the base rate for city water and sewer. Per JCMC 13.05.020 *Connection required*, all residences, commercial buildings, and structures located within 300 feet of a city water line shall connect to the city water system. Further, per JCMC 13.20.130 *Limit on septic tanks, cesspools, dry wells, and pit privies*, it shall be unlawful to retain use of septic tanks, cesspools, or dry wells. All residences, commercial buildings, and structures located within 150 feet of a sanitary sewer shall connect to the city sanitary sewer system and located within 150 feet of a storm sewer shall connect to the city storm sewer system.

There is an existing 24-inch city water line and 21-inch sewer line available to the subject property via Highway 99 where both lines run along the east side of the property parallel with Highway 99. Because of the water and sewer lines in Highway 99 adjacent to the subject property, extraterritorial extensions of water and sewer lines extended to the property along Milliron Road (which is outside of the UGB) is not expected. Criterion met.

For a discussion regarding subsection B of Junction City Municipal Code 17.165.110, staff introduces a discussion about consistency with the applicable policies of the city's comprehensive plan and any applicable refinement plans.

JUNCTION CITY COMPREHENSIVE PLAN COMPLIANCE

Junction City's Municipal Code does not contain criteria for addressing proposed changes to the zoning map. Therefore, the rezone criteria to be applied in this case consist of demonstrating compliance with Oregon's Statewide Planning Goals and the Junction City Comprehensive Plan.

Chapter 1: Citizen Involvement Element

Staff Response: This element of the comprehensive plan will be met by compliance with the adopted notification and hearing processes under Junction City Municipal Code Sections 17.145.030, 17.150.080 and 17.150.090.

The city is processing the zone change a Type IV Legislative Decision per Section 17.150.070 and scheduled a hearing before the Junction City Planning Commission on **March 16, 2022**, and before the city council on **April 12, 2022** for final action.

On February 14 and March 17, 2022, notices of the public hearings were mailed to all property owners within 300 feet of the subject property.

Chapter 2: Environmental Element

Staff Response: According to Lane County GIS data, a linear wetland feature identified as PEMCx runs from the east to the west across the northern portion of the subject property. The city met its obligation by sending the Department of State Lands (DSL) notice of pending land use within a wetland area (see **Attachment D** for agency referral comments). The applicant

should perform their due diligence and site investigation, upon any development proposal. DSL has reviewed and commented on the proposal. DSL stated, based on review of the available information, portions of the site were paved/graveled in 2019-2020. The activity appears to have impacted wetlands above the 50 cubic yard permitting threshold. The applicant is advised to contact DSL to discuss this activity. The applicant has contacted DSL to discuss the issue. As a result, DSL and the USACE will be involved in any subsequent development proposals and the city will send both regulatory agencies referral notice of pending development.

Additionally, The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (#41039C0615F) covering the subject property indicates that the property is in Flood Zone X, areas determined to be outside a 500-year floodplain, with a portion of Zone A running across the northern portion of the subject property. The proposed zone change will not affect Natural Disaster or Hazard risk area boundaries. Any future development of the subject site shall be subject to review and comment of DSL and Army Corp of Engineers, through the standard referral comment process. Therefore, Chapter 2 has been properly addressed. Note: the referenced FIRM Map is unofficial for floodplain permitting and regulation purposes.

Chapter 3: Land Use Element

Section V (D) Urbanization, of Chapter 3, identifies a need for commercial land use parcels dating back as far as the 1980s. The limited supply of commercially zoned parcels in Junction City has caused some businesses to locate elsewhere. The lack of sites near the downtown area has resulted in policy direction in the 1980s to study areas suitable for inclusion into the city's boundary near Highway 36. Specifically, the lack of sites to accommodate a commercial center where office, service and retail businesses could locate on site continues to be a challenge. While the subject property is likely undersized to be able to accommodate a commercial center, the proposed annexation and rezone will add approximately 5-acres of commercially zoned land into the city's commercially available land stock.

Therefore, the proposed General Commercial zoning for the property is consistent with Chapter 3 of the Junction City Comprehensive Plan.

Chapter 4 – Economic Development Element

Junction City's economic development strategies include objectives to: (1) provide large industrial sites to meet regional demand for employment land, (2) increase employment in one of the regional industry clusters, and (3) recruit businesses that have higher than average wages. Chapter 4 of Junction City's Comprehensive Plan addresses these objectives and more. Attracting these firms require opportunity for site choice to allow a firm to find land that meets the firm's requirements. Junction City will need to provide enough sites for choice in all site sizes. As seen in Table 4.2, The city requires two commercially/office zoned sites that range from two-to-five acres in size from 2009 to 2029; by the end of 2029, the city will need 11 total sites zoned commercial/office of varying size. The proposed annexation and rezone will provide the city with a 5-acre parcel of commercially zoned land that will aid in further the goal of achieving 11 commercial/office zoned parcels by the end of 2029. Staff note, any future use to locate on the subject property is subject to the permitted and conditional uses

allowed in the General Commercial zone.

Table 4.2. Needed employment sites by site size and employment category, Junction City, 2009 to 2029

Building Type	Site Size (acres)							Total Sites
	Less than 1	1 to 2	2 to 5	5 to 10	10 to 20	20 to 50	Greater than 50	
Need for 2009-2029								
Industrial	3	3	3	2	1	2	1	15
Office	5	3	2	1	0	0	0	11
Retail	30	6	4	1	0	0	0	41
Other Services	4	2	2	0	0	0	0	8
Government	0	0	0	0	0	0	0	0
Total for 2009-2029	42	14	11	4	1	2	1	75

Source: ECONorthwest

As cited in Section E, *Employment Land Need and Supply Comparison (2009)*, that there is a deficit of 62 vacant suitable acres of commercial land. The proposed annexation and rezone will add 5-acres of commercial land available to the city. Staff note, the subject property is not entirely vacant – there presently exists a 1,732 square foot single family dwelling, and a 504 square foot detached garage.

Chapter 6: Transportation Element

The subject property presently takes access via Milliron Road. There are no proposed changes to the existing vehicle access connection as part of the annexation and rezone. Milliron Road is a Lane County road and is under their jurisdiction.

Fire and other public safety services can and will continue to be provided to the subject property by the Junction City Rural Fire Protection District once annexed into the city limits.

Regarding the proposed annexation and zone change, OAR 660-012-0060 (known as the transportation planning rule) applies. To further address the requirements of the TPR, staff worked closely with planning staff at ODOT. TPR requires local governments to demonstrate that amendments to adopted plans and regulations (including zone changes and annexations) will not significantly affect existing or planned transportation facilities. If a significant effect is found, then the local government must identify appropriate mitigation measures, which usually begins with a formal traffic impact analysis (TIA) or significant effects analysis (SEA). However, if a local government’s locally adopted TSP has already taken into consideration future development on a particular property, this satisfies a city’s obligation with respect to meeting the baseline standards of the TPR. As such, the city and ODOT reviewed the city’s adopted TSP to determine if the models used in the TSP had already taken into account future development on the subject property. The review concluded the city’s adopted TSP did take into account future development levels on the subject properties and future impacts to transportation facilities have been accounted for in the modeling conducted as part of the TSP process. To further illustrate compliance with the TPR, staff have provided excerpts from Appendix D of the city’s TSP (seen as highlighted blue text). Appendix D houses the travel forecasting tool development memorandum section of the TSP. Appendix D expanded the transportation analysis zones (TAZ) to include seven zones for future expansion and eight external TAZs at the key gateways into and out of the city. An inventory of existing land uses, and future land use projections identified existing and future land uses for each TAZ in the

city's UGB. The existing and future land use totals incorporated Lane County population forecast numbers, among other demographic figures. The future 2036 land use allocation estimates the amount of each land use that each TAZ will accommodate based on expected build-out of vacant or underdeveloped lands and assuming comprehensive planning. The subject property falls under TAZ 63, and this is the TAZ that was included in the models.

To that end, staff finds the city has appropriately addressed Goal 12 and the TPR.

Appendix D of the TSP is included in this report as **Attachment E**.

Chapter 7: Public Facilities Element

The Junction City Comprehensive Plan states: "It is the goal of this plan to provide public facilities in an efficient and timely manner at level in excess of projected demands." (Chapter 7, p. 1). When development is proposed for the subject property key urban facilities and services will either be immediately available or will be able to be extended in an orderly manner. Any development on the subject sites will be required to demonstrate adequate water supply and sewer treatment and disposal capacity are available. The Public Works Department has indicated water (24-inch) and sewer (21-inch) lines existing in Highway 99 running parallel to the subject property can be extended to the subject property when eventual connection to city services occurs.

The Junction City Police Chief did provide comment on the proposed annexation and rezone and indicated that once annexed police services will be provided to the property.

The subject property fronts Milliron Road, which is outside of the UGB and a Lane County road facility. Lane County Transportation Planning did provide referral comment on the proposal. Milliron Road is classified as a Rural Local Road. A review for compliance with Lane County road requirements will apply at the time the property is developed. Such requirements are located in Lane Code (LC) Chapter 15 and include: LC 15.045: Minimum Requirements for Public Roads and Local Access Roads, LC 15.135: General Access Requirements, LC 15.137: Access Management Requirements, LC 15.138: Driveway Approach Spacing Standards, LC 15.139: Standards for Culverts and Private Approaches on County Roads, and LC 15.205: Facility Permits. Generally, facility permit approval is required for the placement of facilities and development within the right-of-way. Facilities and development include, but are not limited to: road improvements, sidewalks; new or reconstructed driveway or road approach intersections utility placements; excavation; clearing; grading; culvert placement or replacement; stormwater facilities; or any other facility, thing or appurtenance. Stormwater runoff from private property must not be directed to the Lane County road right-of-way or into any Lane County drainage facility, including roadside ditches. The above requirements from Lane County Transportation will be included as an informational item for future development on the subject property. The property owner is advised to read the comments submitted by Lane County Transportation Planning and work the Lane County Public Works at the time of development for implementation of the above-mentioned road improvements. See **Attachment D** for Agency Referral comments.

The fire protection provider to the subject property is Junction City Rural Fire Protection District; ambulance service is provided by Lane Fire Authority.

Chapter 7 sufficiently addressed.

OREGON STATEWIDE PLANNING GOAL COMPLIANCE

Goal 1 Citizen Involvement

Goal 1 - Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Staff Response: This element of the comprehensive plan will be met by compliance with the adopted notification and hearing processes under Junction City Municipal Code Sections 17.145.030, 17.150.080 and 17.150.090.

The city is processing the zone change as a Type IV Legislative Decision per Section 17.150.070 and scheduled a hearing before the Junction City Planning Commission on March 16, 2022, and before the Junction City Council on April 12, 2022, for final action.

On March 17, 2022, the notice of public hearing was mailed to all property owners within 300 feet of the subject property. Notice was published in the Register Guard on February 14, March 10 and 14, and April 6 and 13, 2022. The last two publishing dates, meet ORS 222.120(3) requirements.

Goal 2 Land Use Planning

Goal 2 - Zoning: Land Use Planning: Goal 2 - Land Use Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Staff Response: Goal 2 outlines the basic procedures of Oregon's statewide planning program, stating that land use decisions must be made in accordance with comprehensive plans and that effective implementation ordinances must be adopted. The subject site is designated as Commercial (C) on the adopted 2022 Comprehensive Plan Map. The proposed zoning of General Commercial (GC) is the implementing zoning for the corresponding land use designation. Therefore, the proposed annexation and rezone is consistent with the comprehensive plan and Goal 2 as stated above.

Goal 3 Agricultural Lands

Goal 3 - Agricultural Land: To preserve and maintain agricultural lands.

Goal 4 Forest Lands

Goal 4 - Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Staff Response: Goals 3 and 4 requires counties to inventory agricultural lands and to maintain and preserve them through EFU zoning. Because the subject property is designated

as Commercial on the acknowledged Comprehensive Plan Map and is within the Urban Growth Boundary (UGB) of Junction City, Goals 3 and 4 are not applicable.

Goal 5 Open Spaces, Scenic and Historic Areas & Natural Resources

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: To conserve open space and protect natural and scenic resources.

Goal 5 requires local governments to inventory and protect natural resources. The 2012 DLCD acknowledged comprehensive plan update includes a Goal 5 inventory. The inventory identified locally significant wetlands. The subject property contains an inventoried Goal 5 natural resource in the form of FC-02 wetlands. Any development on the subject property will be required to adhere to the regulatory requirements of DSL and the Army Corps of Engineers. Goal 5 addressed.

Goal 6 Air, Water and Land Resources Quality

Goal 6 - Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations. The proposed annexation and rezone have no Goal 6 impact. Environmental impacts will be addressed in any subsequent land use review for future proposed development. Goal 6 addressed.

Goal 7 Areas Subject to Natural Disasters and Hazards

Goal 7 - Area Subject to Natural Disasters and Hazards: To protect life and property from natural disasters and hazards.

Goal 7 requires that jurisdictions apply appropriate safeguards when planning development in areas that are subject to natural hazards such as flood hazards. The only identified natural hazard in Junction City is flooding. Junction City has an acknowledged floodplain protection ordinance. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (#41039C0615F) covering the subject property indicates that the property is in Flood Zone X, areas determined to be outside a 500-year floodplain. The proposed zone change will not affect Natural Disaster or Hazard risk area boundaries. If found applicable, the applicant will have to adhere to any floodplain development regulations. Thus, Goal 7 has been properly addressed. Identification of possible flood hazards and their impacts on future proposed development will be addressed during land use review.

Goal 8 Recreation Needs

Goal 8 - Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The proposed annexation and zone change do not affect any lands identified as having high recreation resource value; this goal is not applicable.

Goal 9 Economy of the State

Goal 9 - Economic Development: Goal 9 - Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Junction City will need to provide enough sites for choice in all site sizes. As seen in Table 4.2 of the city's comprehensive plan, the city requires two commercially/office zoned sites that range from two-to-five acres in size from 2009 to 2029. By the end of 2029, the city will need 11 total sites zoned commercial/office of varying size. The proposed annexation and rezone will provide the city with a 5-acre parcel of commercially zoned land that will aid in further the goal of achieving 11 commercial/office zoned parcels by the end of 2029. Goal 9 addressed.

Goal 10 Housing

Goal 10 - Housing: To provide for the housing needs of citizens of the state.

Goal 10 has no direct bearing on the proposed annexation and rezone. The Comprehensive Plan Map designates the subject property as Commercial and that is the zoning to be applied, consistent with the Comprehensive Plan Map. While not directly related, the increased economic opportunities presented as a result of the annexation and rezone in Junction City can spur further housing development and have the ability to attract employees and families to Junction City.

Goal 11 Public Facilities and Services

Goal 11 - Public Facilities and Services: to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The DLCD acknowledged 2012 Comprehensive Plan found compliance with the Statewide Planning Goals, including Goal 11 (Ordinance 1212, Appendix 1, Page 144). The proposed annexation and zone change poses no impact on provision of public facilities and services. When development is proposed for the subject property key urban facilities and services will either be immediately available or will be able to be extended in an orderly manner. Any development on the subject sites will be required to demonstrate adequate water supply and sewer treatment and disposal capacity are available. Water and sewer services can be provided from an existing 24-inch water line and 21-inch sewer line in Highway 99 running parallel to the subject property. The applicant will be required to sign and execute a waiver of remonstrance for the costs associated with the extensions of water and sewer lines to the subject property. This will be an included finding of fact. The Public Works Director will be working with the applicant to obtain the waiver of remonstrance. Fire and police services will be available to the property following annexation.

Goal 12 Transportation

Goal 12 - Transportation: To provide and encourage a safe, convenient and economic transportation system.

Goal 12 encourages the provision of a safe, convenient, and economic transportation system. This goal also implements provisions of other statewide planning goals related to transportation planning in order to plan and develop transportation facilities and services in coordination with urban and rural development (OAR 660-012-0000(1)).

As stated in OAR 660-012-0060 “Where an amendment to a functional plan, acknowledged comprehensive plan, or land use regulation would significantly affect an existing or planned transportation facility, the local government shall put onto place measures to assure allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.”

As alluded to earlier in this report under Chapter 6 of the city’s comprehensive plan, the city’s adopted TSP had already contemplated future development on the subject property into the transportation models that were used in the city’s TSP. Because of this, a significant effect analysis or TIA is not required to meet the TPR requirements for annexation and rezone.

Appendix D contains the travel forecasting tool development memorandum section of the TSP. Appendix D expanded the transportation analysis zones (TAZ) to include seven zones for future expansion and eight external TAZs at the key gateways into and out of the city. An inventory of existing land uses, and future land use projections identified existing and future land uses for each TAZ in the city’s UGB. The existing and future land use totals incorporated Lane County population forecast numbers, among other demographic figures. The future 2036 land use allocation estimates the amount of each land use that each TAZ will accommodate based on expected build-out of vacant or underdeveloped lands and assuming comprehensive planning. The subject property falls under TAZ 63, and this is the TAZ that was included in the models. Because of this, a significant effect analysis or TIA is not required to meet the TPR requirements for annexation and rezone.

The subject property fronts Milliron Road along its southern property line. Milliron Road is classified as a Rural Local Road and is under the jurisdiction of Lane County. Lane County supports jurisdiction transfer to the city in the future should the UGB be expanded to include Milliron. Upon development of the site, Lane County roadway standards will be required to be complied with. See comments submitted by Lane County Transportation Planning in **Attachment D**. Compliance with Lane County roadway standards, upon site development, will be an informational item.

Goal 13 Energy

Goal 13 - Energy Conservation: This goal states: “Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.”

Goal 13 requires land and uses developed on the land to be managed and controlled to maximize the conservation of all forms of energy, based upon sound economic principles. The annexation and rezone do not change the land use patterns and development already allowed; therefore, the proposal will have no effect on Energy Conservation. The comprehensive plan map anticipates commercial growth and uses in this area. Therefore, Goal 13 has been adequately addressed.

Goal 14 Urbanization

Goal 14 - Urbanization: To provide for an orderly and efficient transition from rural to urban land use.

The proposed annexation and rezone do not involve urbanization of any land not currently within the Junction City UGB. The subject site was included within the 2012 Comprehensive Plan acknowledged by the Department of Land Conservation and Development on August 9, 2013. Therefore, the proposed Annexation and Rezone are consistent with Goal 14.

Goal 15 through 19

Goal 15 - Willamette River Greenway: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Goals 16-19; Estuary Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources: These goals are not relevant to this proposed amendment because there is no coastal, estuarine, ocean, or beach and dune resources related to the site.

Goals 15 through 19 are related to the Willamette Greenway and coastal resources. As such, these goals do not apply to the subject site and no further analysis is required.

Public Comments:

To date, the city has not received any public comments. If any are received, they will be provided at the scheduled public meetings/hearings.

Agency Referral Comments:

DSL – Previous paving/graveling of the property in 2019-2020 may have impacted wetlands. Applicant advised to contact DSL. Development on the subject property may impact wetlands. On-site investigation and coordination with DSL is recommended prior to any development activities.

Lane County Transportation Planning (LCTP) – When UGB expansion is evaluated in the future, LCTP strongly encourages the section of Milliron Road be included in the UGB to best support urban growth and development. Currently, the road is subject to the requirements of Lane Code Chapter 15. A review for compliance with Lane County road requirements will apply at the time the property is developed. Such requirements are included in Lane Code Chapter 15 and include: LC 15.045: Minimum Requirements for Public Roads and Local Access Roads, LC 15.135: General Access Requirements, LC 15.137: Access Management Requirements, LC 15.138: Driveway Approach Spacing Standards, LC 15.139: Standards for Culverts and Private Approaches on County Roads, and LC 15.205: Facility Permits. A Facility Permit from Lane County is required for placement of facilities and development within the right-of-way of a county road. Stormwater runoff from private property must not be directed to the Lane County road right-of-way or into any Lane County drainage facility, including roadside ditches. At the time of property development, Lane County Transportation may require a TIA be completed by the applicant.

ODOT – Assisted city in figuring out Goal 12 TPR compliance. ODOT Reviewed the city's TSP and Appendix D and found no TIA is required as a result of the annexation and rezone request.

Junction City Police Department – Once annexed the property will be provided with police services.

Staff Recommendation: Based upon the available information and findings set forth above, it is concluded that the proposed annexation and rezone comply with the applicable approval criteria and related standards set forth within the JCMC, Comprehensive Plan, and Oregon Statewide Planning Goals. Staff recommends a city zoning designation of General Commercial be applied to the subject property following inclusion into the city limits. Therefore, staff recommends the city council approves both the annexation and zone change, as recommended by the planning commission and the findings of fact.

Finding of Fact for Condition of Approval: The non-remonstrance agreement shall be signed, executed, and recorded with Lane County Deeds and Records prior to May 12, 2022.

Informational Items:

- (1) The subject property contains wetlands. The applicant is advised to work with DSL through the city on the future development of any of the lots on the subject property. The applicant is advised further actions may be required by DSL with respect to wetland regulation and compliance.
- (2) The subject property is located within the Zone A floodplain designation. Development on the subject property may be subject to floodplain development regulation and permitting.
- (3) The requirements of Lane Code Chapter 15 will apply to the property at time of property development. At time of development of the property, Lane County Transportation may require a TIA to be completed by the applicant.

Attachments:

- Attachment A - Notice materials
- Attachment B - Applicant initial application materials
- Attachment C - Applicant supplemental application materials
- Attachment D - Agency Referral Comments
- Attachment E - Appendix D of TSP