



# Oregon

Theodore R. Kulongoski, Governor

**Department of Land Conservation and Development**

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

[www.lcd.state.or.us](http://www.lcd.state.or.us)

## AMENDED NOTICE OF ADOPTED AMENDMENT

October 17, 2007

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Junction City Plan Amendment  
DLCD File Number 006-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 2, 2007**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Marguerite Nabeta, DLCD Regional Representative  
Bill Holmstrom, DLCD Transportation Planner  
Kay Bork, City of Junction City

<paa> ya/

FORM **2**

# DLCD

## Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD  
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION  
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **Junction City**

Local file number: **CPA 07-01**

Date of Adoption: **10/9/2007**

Date Mailed: **10/12/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: **3/3/2007**

- |  |  |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment     | <input checked="" type="checkbox"/> Zoning Map Amendment             |
| <input type="checkbox"/> New Land Use Regulation           | <input type="checkbox"/> Other:                                      |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amendment to Comprehensive Plan Map of 1 city block from Industrial to Commercial and Rezoned from Light Industrial to General Commercial.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **Industrial**

to: **Commercial**

Zone Map Changed from: **Heavy Industrial**

to: **General Commercial**

Location: **9<sup>th</sup>/10<sup>th</sup> Elm and E. Front**

Acres Involved: **0**

Specify Density: Previous:

New:

Applicable statewide planning goals:

- |                                     |                                     |                          |                          |                          |                          |                          |                          |                                     |                                     |                                     |                                     |                                     |                          |                          |                          |                          |                          |                          |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                            | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                            | <b>10</b>                           | <b>11</b>                           | <b>12</b>                           | <b>13</b>                           | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

*DLCD #006-07 (16267)*

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

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Local Contact: **Kay Bork**

Phone: **(541) 998-2153** Extension:

Address: **650 Greenwood Ave**

Fax Number: **541-998-3140**

City: **Junction City**

Zip: **97448-**

E-mail Address: **kbork@ci.junction-city.or.us**

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### **ADOPTION SUBMITTAL REQUIREMENTS**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:  

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**
2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 1179

AN ORDINANCE AMENDING THE CITY OF JUNCTION CITY COMPREHENSIVE PLAN MAP FOR TAX LOTS 3800, 3900, 4000, 4100, 4200, 4300, 4400, 4500, T15S, R04W, S32 MAP 24 FROM INDUSTRIAL TO COMMERCIAL; AND AMENDING THE OFFICIAL ZONING MAP FOR SAID PROPERTIES FROM LIGHT INDUSTRIAL (M1) TO GENERAL COMMERCIAL (GC).

WHEREAS, the City provided notice of and held public hearings before the Planning Commission and City Council, took testimony on this matter, and has taken testimony into consideration in making this decision; and

WHEREAS, the City Council has determined that the proposed re-designation from industrial to commercial and proposed rezone from Light Industrial to General Commercial is consistent with all applicable criteria, and supported by the Findings of Fact attached as Exhibit "A"; now, therefore

THE CITY OF JUNCTION CITY ORDAINS AS FOLLOWS:

Section 1. The above Recitals and Findings of Fact addressing applicable criteria and supporting the proposed changes to the Comprehensive Plan Map and Zoning Ordinance Map, attached as Exhibit "A", are hereby adopted as the basis for this Ordinance and incorporated herein by this reference.

Section 2. The City of Junction City Comprehensive Plan Map is hereby amended to reflect the new designation of tax lots 3800, 3900, 4000, 4100, 4200, 4300, 4400, 4500, T15S R04W S32 Map 24 (as shown in the attached Exhibit "B") as Commercial.

Section 3. The City of Junction City Official Zoning Map is hereby amended to reflect the new zoning of tax lots 3800, 3900, 4000, 4100, 4200, 4300, 4400, 4500, T15S R04W S32 Map 24 ( as shown in the attached Exhibit "C") as General Commercial.

Read in full for its first reading on the 9<sup>th</sup> day of October 2007.

Read by title only, for its second reading this 9<sup>th</sup> of October 2007.

Passed by the Council this 9<sup>th</sup> day of October 2007.

Approved by the Mayor this 9<sup>th</sup> day of October 2007.

ATTEST:

APPROVED:

  
Kitty Vodrup, City Recorder

  
Dwight Coon, Mayor

**JUNCTION CITY, CITY COUNCIL STAFF REPORT  
COMPREHENSIVE PLAN AMENDMENT AND REZONING, 9<sup>th</sup>/10<sup>th</sup> & FRONT  
(CPA-07-1, RZ-07-3)**

Notice to DLCD: July 27, 2007  
Notice Posted at City Hall: August 29, 2007  
Public Notice Mailed: July 27, 2007  
Notice Published in Paper: August 30, 2007  
Staff Report Date: September 10, 2007  
PC Public Hearing Date: September 18, 2007  
CC Public Hearing Date: October 9, 2007

Referrals: Jason Knope, Junction City Public Works  
Chief Hancock, Junction City Police  
David Clyne, City Administrator  
DLCD, Department of Land Conservation and Development

Related Files: CPA 06-1 & RZ 06-2, redesignate and rezone from M-2 (Heavy Industrial) to R-2 Duplex-Family Residential, denied  
  
Ordinance 239, zoned property Industrial in 1941  
RZ-78-Zdroy, rezone from M-2 (Heavy Industrial) to R-1 Single-Family Residential, denied  
  
VAC-78-Zdroy, vacation of East Front Street between 9<sup>th</sup> and 10<sup>th</sup> Avenues and vacation of East 9<sup>th</sup> between Elm and Front Streets, withdrawn  
  
VAC-94-18, McGhee, vacation of East Front Street between 9<sup>th</sup> and 10<sup>th</sup> Avenues, denied

**BASIC DATA**

Applicant: City of Junction City  
680 Greenwood Street  
Junction City, OR 97448

Property Location: between East 9<sup>th</sup> and 10<sup>th</sup> Avenues & East Front Street & Elm Street.

Assessors Map and Tax Lot: 15-04-32-24, tax lots 3800 thru 4500

Legal Description: Lots 1-10 of Block 67 of the Original Plat of Junction City

Area: 43,120 square feet

Current Plan Designation: Industrial

Proposed Plan Designation: Commercial

Current Zoning: Heavy Industrial (M2)

Proposed Zoning: General Commercial (GC)

### **REQUEST**

The request was initiated by the Planning Commission to amend the Junction City Comprehensive Plan Map to change the plan designation from Industrial to Commercial and to amend the Zoning Map to change the zoning from Heavy Industrial to General Commercial.

### **BACKGROUND & CONTEXT**

The original Comprehensive Plan Amendment was a request by a property owner to redesignate and rezone lots 6-10 of the Original Plat of Junction City from Industrial to Duplex Residential (R-2). The Planning Commission decided that the redesignation and rezone should cover the entire block, lots 1-10 of block 67 of the Original Plat of Junction City, to avoid "spot zoning". At the Planning Commission meeting two of the other property owners requested that the property should not be converted to, Duplex-Residential (R2). It was recommended that instead it be converted to General Commercial. There were concerns expressed amongst the property owners and Planning Commissioners that the General Commercial zoning permits multi-family residential. As with other residential uses there are minimum lot size requirements. Multi-family residential requires a minimum lot size of 7,500 square feet whereas commercial uses have no lot size requirements. General Commercial is the typical zoning of the properties just directly south of the subject lots.

The Planning Commissioners voted to send this application to the City Council in favor of a change to the plan designation from Industrial to Commercial and in favor of a change in zoning from Heavy Industrial (M2) to General Commercial (GC) zoning but it was denied by the City Council because of improper noticing. The City Council voted to deny the property owner's request to redesignate his property from Industrial to Residential and change the zoning from Heavy Industrial (M2) to Duplex-Family Residential.

Staff received direction from the Planning Commission to initiate an amendment to the Comprehensive Plan and rezone the entire block General Commercial.

The subject property is within the original plat of the City of Junction City, filed in 1872. The block is developed with four single-family residences. It receives access from East 10<sup>th</sup> Avenue and Elm Street. The property was zoned Industrial in 1941. The current residential use of the land is not consistent with the Heavy Industrial zoning. The City is seeking redesignation and rezoning of the property to allow the area to transition into commercial uses.

The parcel is flat and rectangular in configuration; it is located between East 9th Avenue and East 10<sup>th</sup> Avenue, East Front Street and the railroad tracks on the west, and an Elm Street to the east. Property to the south of the site is zoned General Commercial (GC). The area, which is separated from the site by unimproved East 9th Avenue, includes the newly built Bi-Mart Store.

It is the property that has received preliminary plan approval for a partition. The property across Elm Street is zoned Duplex-Family Residential and developed with single-family homes. To the north of the site, across East 10<sup>th</sup> Avenue, is a parcel zoned Heavy Industrial, which is developed with a cabinet shop. To the west of the site is Front Street (unimproved), which sits next to the railroad. On the other side of the railroad, the property is zoned Light Industrial and developed with buildings that were used by Junction City Farm and Garden before that business relocated to Highway 99 South.

Adequate public facilities and services are already located nearby to support any type of use. The plan amendment will not affect the comprehensive plan amendment compliance with Goal 11, Public Facilities and Services. City water is available to the site via a 10" water main to the east on Elm Street. Storm water can run to 10<sup>th</sup> Avenue or to Elm Street. Natural Gas is available to the site from 10<sup>th</sup> Avenue. Sewer is available to the site from 10<sup>th</sup> Avenue. Electrical services are available from 10<sup>th</sup> Avenue.

With the existence of Elm Street and 10<sup>th</sup> Avenue, and the presence of right-of-way for East 9<sup>th</sup> Avenue and East Front Street that could become streets, there is adequate access and sufficient transportation facilities to serve this property.

#### **PUBLIC NOTICE**

Staff contacted property owners of the area to be redesignated and rezoned via a letter dated May 21, 2007. The letter was sent to schedule individual meetings with property owners to discuss impacts to property as a result of the redesignation. No property owners contacted the City to set up a meeting. The City also sent out 300 foot notices of the public hearing to surrounding property owners on July 27, 2007 per Section 112 of the Zoning Ordinance. No written comments were received.

#### **AUTHORIZATION TO INITIATE AMENDMENTS**

##### **Comprehensive Plan Map Amendment**

The Junction City Comprehensive Plan states, "*Specific applications for changes in land use designation will occur in a timely, expeditious manner through the public hearing process*" (page 2). It goes on to say that the Comprehensive Plan Committee may initiate amendments deemed necessary for the continued usefulness of the plan. In this case, the amendment is initiated by the city. The Planning Commission will hold a public hearing and make a recommendation to the City Council to approve, deny, or modify the proposal.

##### **Zoning Map Amendment**

Section 106 of the Zoning Ordinance states, "*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.*" The amendment to the zoning map is initiated by the Planning Commission. The Planning Commission will hold a public hearing and make a recommendation to City Council to approve, deny, or modify the proposal.

#### **APPLICABLE CRITERIA**

### **Comprehensive Plan Map Amendment**

The Junction City Comprehensive Plan does not contain any criteria for city initiated quasi-judicial amendments to the Comprehensive Plan. Oregon Revised Statutes (ORS) 197.175(2)(a) requires that cities "... amend and revise comprehensive plans in compliance with goals approved by the Commission." The Oregon Statewide Planning Goals, therefore, must be addressed by the application. Goals 1, 2, 9, 10, 11, 12, and 13 apply to this application.

#### *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.*

#### *Goal 2 – Land Use Planning*

*To establish a land use 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.*

#### *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.*

#### *Goal 10 – Housing*

*To provide for the housing needs of the citizens of the state.*

#### *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.*

#### *Goal 12 – Transportation*

*To provide and encourage a safe, convenient and economic transportation system.*

#### *Goal 13 – Energy Conservation*

*To conserve energy.*

### **Zoning Map Amendment**

The sole criterion for a zoning map amendment, as listed in Section 104(4) of the zoning ordinance, is that the amendment conform to the Junction City Comprehensive Plan and be consistent with other provisions of the zoning ordinance.

### **REFERRALS**

Jason Knope, Junction City Public Works stated that they would not be affected by the proposal.

Steven Santos of the Department of Land Conservation and Development (DLCD) stated, "Since this (application) is below the 2-acre trigger for the Goal 9 rule, the decision making process will be governed by the local process and local comprehensive plan policies. The city could make findings if desired that even though the small parcel isn't viable for most industrial uses, it may still be viable for other employment uses such as retail. If your industrial code allows



*commercial uses, even as a conditional use, you could potentially conclude that you expect this site to absorb commercial uses and deny the request based on that need.”*

## **ISSUES & DISCUSSION**

### **Previous Decision**

In 1978, the city considered a rezoning request from Mr. Zdroy to change the zoning from M-2, Heavy Industrial to R-1, and Single-Family Residential for two vacant lots along Elm Street. The city discussed this application in terms of rezoning the whole block. The purpose of the application was to change the zoning to residential so that people could build and maintain their homes. After discussion the City Council adopted findings of fact as follows:

1. Industrial zoned property is at a premium and should remain zoned M-2.
2. Water and sewer service is available.
3. It is not in conflict with the Comprehensive Plan.
4. A business requiring M-2 property is immediately adjacent to property requested to be rezoned.
5. There are four residences within the area to be considered for rezoning.
6. Coyle Hastings was present to object. He stated his business noise and dust has caused complaints by neighbors.
7. More residential area within M-2 zoned area would cause additional complaints against M-2 property owner because of noise and dust particles.
8. There is a need for residential lots.

The Council denied the request for rezoning.

### **Industrial Use Not Viable or Needed**

#### **No previous industrial use**

Since the forties when this property was zoned Industrial, there has never been any industrial development. The four houses on the block each pre-date the industrial zoning. Brian Frechette's house was built in 1900. He has recently put in a foundation and is upgrading the house. The other two houses along Elm Street were built in 1936 and 1940. The remaining vacant lots have never been developed for industrial purposes. They are small in size and most industries do not wish to locate right next to residential uses. In order to be viable industrial property, someone would likely need to purchase the entire block or at least several properties and remove or tear down the existing homes.

#### **Trend of conversion of industrial land**

The properties south of these have changed from Industrial to Commercial. The city approved a plan designation and zoning map amendment for the Bi-Mart property in 2003 and for Dari-Mart in 2005. Both of those properties had previously been owned by the railroad. Thus, this application is continuing that trend of conversion of property adjacent to the railroad from industrial to another use that better meets modern day development needs.

Finally, according to the buildable lands inventory completed for the Oaklea Plan Amendment, it was found that the city had a surplus of industrial land to meet its projected 20-year need.

### Surplus of industrial land

Statewide Planning Goal 9 requires local governments to designate sufficient, suitable sites to meet long-term commercial and industrial growth needs. According to the updated Buildable Lands Inventory adopted in 2002 as part of the Oaklea Plan Amendment, the City currently has a deficit of commercially-designated land. The Land Needs Assessment amendment to the Junction City Comprehensive Plan states at page 3:

*“The Junction City UGB has a 35-acre deficit of buildable commercial land, and a 371-acre surplus of buildable industrial land.”*

The document explains the background of the conclusion. In 1998, EcoNorthwest (ECO) completed a land inventory and land needs assessment for Junction City in coordination with Lane Council of Governments. In 1999, ECO updated the buildable land inventory and revised the land needs analysis.

In the section designated as “Employment Land Need,” (p. 16) there is the additional statement:

*“Table 12 compares land need and supply for employment within the Junction City UGB. The City has a large surplus (over 6 times the 2020 need) of land designated for industrial development and a deficit of land designated for commercial/office, residential and public uses. The City believes that alternative sites should continue to be provided to ensure choice in the industrial land market. However, Statewide Planning Goal 14 does not allow UGB expansions to meet commercial and residential land needs, where a large industrial land surplus exists. Therefore, some reduction in the industrial land supply will be necessary to meet commercial/office, public and residential land needs.”*  
(Emphasis in original text.)

The Oaklea Plan Amendment resulted in a reduction in the amount of surplus industrial land by 261 acres. The Bi-Mart and Dari-Mart Plan Amendments further reduced this surplus by 4.8 and 2.6 acres respectively. Then, Country Coach added to the supply of industrial land by expanding the urban growth boundary (UGB) by 74 acres. At this point, the city has an estimated 176 acres of surplus industrial land.

### **Arguments in Support of Commercial**

#### Need for commercial land

As quoted above, the Oaklea Plan Amendment indicated a 35-acre deficit of commercial land. With the Bi-Mart and Dari-Mart plan amendments, this deficit has been reduced to 27 acres. However, there is still a need for additional land for commercial development. Locating this land in the core area of town can help slow down the push for strip development along Highway 99 at the south end of town. This area of town seems like a viable location for new commercial development as evidenced by the building of the Bi-Mart store and Dari-Mart corporate offices.

#### Compatibility with surrounding land uses

With commercial to the south and industrial to the west and north, it seems that zoning this block as commercial would be more compatible with the surrounding zoning and land uses than would

residential. Building houses next to the railroad seems like it would be subjecting the residents to high levels of noise and vibration.

Conformance with existing lot sizes

There is no minimum lot size for commercial uses, so the vacant lots could be developed for commercial purposes without any lot line adjustments or lot consolidations.

**PLANNING COMMISSION RECOMMENDATION**

Based on the proposed findings, the Planning Commission recommends approving the proposed amendments.

**POSSIBLE ACTIONS BY THE CITY COUNCIL**

**The Council may:**

- a. Approval the Comprehensive Plan Map and Zoning Map Amendment and approve the recommended findings. If you choose this option, you will approve the Ordinance later during the meeting. (*Findings included with Ordinance as Exhibit B.*)
- b. Modify the proposal and/or findings.
- c. Deny the proposed amendments based on changes to the recommended findings.
- d. Continue the public hearing to a time and date certain if more information is needed.

**EXHIBITS**

- A. Proposed Findings of Fact
- B. Comprehensive Plan Map

**Exhibit A**  
**FINDINGS OF FACT**  
**COMPREHENSIVE PLAN AMENDMENT AND**  
**REZONE 9<sup>th</sup>/10<sup>th</sup> & FRONT**  
**(CPA-07-1, RZ-07-3)**

**GENERAL FINDINGS**

1. The Planning Commission initiated the amendments on May 15, 2007 as authorized by Section 106 of the Zoning Ordinance and page 2 of the Comprehensive Plan.
2. The Junction City Planning Commission held a public hearing on September 18, 2007 after giving the required notice per Section 112 of the Zoning Ordinance.
3. The Junction City Planning Commission held a public hearing in accordance with Section 113 of the Zoning Ordinance<sup>4</sup> and page 2 of the Comprehensive Plan and considered all material relevant to the Rezoning and Plan Amendment that has been submitted by staff and the general public regarding this matter.
4. The Junction City City Council held a public hearing on October 9, 2007 after giving the required notice per Section 112 of the Zoning Ordinance.
5. The Junction City City Council held a public hearing in accordance with Section 113 of the Zoning Ordinance and page 2 of the Comprehensive Plan and considered all material relevant to the Rezoning and Plan Amendment that has been submitted by staff and the general public regarding this matter.
6. The subject property's current plan designation is Industrial and is zoned Heavy Industrial (M2).
7. The subject area consist of one block made up of eight (8) tax lots with four tax lots developed with single-family homes.
8. The recommended plan designation of Commercial for property is in compliance with the Statewide Planning Goals as described below.
9. The recommended zoning of General Commercial (GC) is consistent with the character of the surrounding properties and complies with the Comprehensive Plan as described below.

**STATEWIDE PLANNING GOALS and PROPOSED FINDINGS**

**Goal 1; Citizen Involvement.** This proposed amendment is consistent with Goal 1 through the City's public notification and hearing processes concerning quasi-judicial comprehensive plan amendment applications. The hearings procedures set forth in Ordinance No. 950 for quasi-judicial comprehensive plan change and zone change amendments provide a number of opportunities for citizen involvement, specifically, the amendments have been considered at a duly noticed public hearing before the Junction

City Planning Commission and will be considered at a public hearing before the Junction City Council.

Notice of the public hearing was mailed to owners of properties within 300 feet of the subject parcel, posted at the city hall on the city's website, and published in the Tri-County News, a newspaper of general circulation. The above process for citizen involvement regarding this proposed amendment demonstrates consistency with Statewide Planning Goal 1.

**Goal 2; Zoning: Land Use Planning.** This application is consistent with the provisions for quasi-judicial comprehensive plan amendments as set forth in Ordinance No. 950 and the Junction City Comprehensive Plan. That plan is an acknowledged plan under applicable state statutes and administrative rules promulgated by the Department of Land Conservation and Development (DLCD). The proposed amendment complies with the Junction City Comprehensive Plan amendment processes as outlined in the acknowledged Comprehensive Plan, including relevant ordinances, therefore, the proposed amendment is consistent with Statewide Planning Goal 2.

**Goal 3; Agricultural Lands.** This goal is not relevant to this plan amendment because the subject site does not involve any agricultural lands or uses.

**Goal 4; Forest Lands.** This goal is not relevant to this plan amendment because there are no zoned or designated forestlands on the subject site.

**Goal 5; Open Spaces, Scenic and Historic Areas, and Natural Resources.** This goal is not relevant to this plan amendment because there are no inventoried Goal 5 resources on the site; therefore this does not implicate Goal 5.

**Goal 6; Air, Water and Land Resources Quality.** This goal is not relevant because the proposed plan amendment involves only re-designation of the property from Heavy Industrial to Commercial use on the plan map. Any development of the site, this being an urban site, will be subject to any applicable city and state regulations concerning water quality. It is anticipated that a developer would be required to provide erosion control plans and plans for new surface drainage facilities to assure water quality as part of development review of the property. These regulations will ensure compliance with Goal 6.

**Goal 7; Area Subject to Natural Disasters and Hazards.** The property is not within the 100-year floodplain. In addition, this goal is not relevant to this plan amendment because the subject site does not involve any Natural Disasters or Hazardous areas.

**Goal 8; Recreational Needs.** This goal does not directly bear upon the proposed plan amendment.

**Goal 9; Economic Development.** The land use element of the Junction City Comprehensive Plan states that the City contains a number of small commercial parcels but a limited number of larger commercial parcels. Page 19 of the Comprehensive Plan states:

“The goal of the City’s commercial land use category is to provide sufficient lands to continue a stable economic base for the delivery of goods and services to persons living within the Junction City area.”

Statewide Planning Goal 9 requires local governments to designate sufficient, suitable sites to meet long-term commercial and industrial growth needs. According to the updated Buildable Lands Inventory adopted in 2002 as part of the Oaklea Plan Amendment, the City currently has a deficit of commercially-designated land. The Land Needs Assessment amendment to the Junction City Comprehensive Plan states at page 3:

*“The Junction City UGB has a 35-acre deficit of buildable commercial land, and a 371-acre surplus of buildable industrial land.”*

The document explains the background of the conclusion. In 1998, EcoNorthwest (ECO) completed a land inventory and land needs assessment for Junction City in coordination with Lane Council of Governments. In 1999, ECO updated the buildable land inventory and revised the land needs analysis.

With the Bi-Mart and Dari-Mart plan amendments, the Commercial deficit has been reduced to 27 acres. However, there is still a need for additional land for commercial development.

The properties south of the subject property have changed from Industrial to Commercial. The city approved a plan designation and zoning map amendment for the Bi-Mart property in 2003 and for Dari-Mart in 2005. This application is continuing the trend of converting property adjacent to the railroad from industrial to another use that are more compatible with the surrounding area.

The property is more suited to commercial uses because the block consists of lots that are not the standard 50’ x 100’ size. Rather, they are 50’ x 80’. Because commercial uses have no minimum lot size the vacant lots could be developed for commercial purposes without any lot line adjustments or lot consolidations.

**Goal 10; Housing.** The goal is aimed at providing “for the housing needs of the citizens of the state.” The subject site is not and has not been designated residential but there are existing residential uses on the block. There is not a need for additional land designated low-density residential based on the Oaklea Plan Amendment (50 acres of surplus created with that amendment) to meet the 20-year land supply.

With recent annexations of land designated Low Density Residential, the city has increased its supply of land for residential uses and densities since the Oaklea Plan Amendment.

**Goal 11; Public Facilities and Services.** This goal is not relevant to the proposed plan amendment, as the site is located in an area where all key urban public facilities and services (i.e., water, storm drainage, sanitary sewer, and transportation) are available to the site. The plan amendment will, therefore, not affect comprehensive plan compliance with Goal 11.

**Goal 12; Transportation.** This goal states: “[t]o provide and encourage a safe, convenient and economic transportation system.” Pursuant to Goal 12, Junction City has adopted a Transportation System Plan (TSP). The plan amendment is consistent with the TSP, Policy 14 (p. 2-4), which designates 10<sup>th</sup> Avenue as a major collector and states:

*“... shall provide access from local streets for minor collectors to the arterial system. Individual accesses shall be managed to minimize degradation of capacity and traffic safety.”*

The subject property is surrounded by East 10<sup>th</sup> Avenue to the north, Elm Street to the east, East 9<sup>th</sup> Avenue to the south East Front Street to the west. Elm Street is classified as a local street. East 9<sup>th</sup> Avenue has a 60’ right-of-way and is unimproved and is also classified as a local street. East Front Street has been platted up to the railroad, but has not been improved. East Front Street could be improved and provide access to East 10<sup>th</sup> Avenue which would allow for greater street connectivity as 10<sup>th</sup> Avenue extends across the railroad to the west.

Upon development, the design of the individual access on the subject properties will be reviewed to address issues of safety.

As contemplated by the TSP, Policy 23, on-site motor vehicle parking will be provided as required by Junction City ordinances.

**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.”*

Among the guidelines under this goal is that to “recycle and reuse vacant land” applicable to the present application. The proposal will result in the reuse of existing vacant land at a location that will result in the conservation of energy. The rezoning of this land clarifies use and thereby results in conservancy.

The development can promote alternative modes of transportation because the commercial uses will be located in proximity to other commercial uses as well as residential development.

**Goal 14; Urbanization.** This goal is not relevant to this proposed amendment because the site is within the Junction City limits and the urban growth boundary and has all necessary services. There will be no conversion from rural to urban land use.

**Goal 15; Willamette River Greenway.** This goal is not relevant to this proposed amendment because this site is not within the boundary of 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.

**PROPOSED FINDINGS FOR REZONING**

The zone change must be compatible with the Junction City Comprehensive Plan.

**Citizen Involvement Element**

As discussed relative to Statewide Planning Goal 1, this criterion will be met by compliance with the adopted public notification and hearing processes under the Junction City Zoning Ordinance Sections 108, 111 and 112.

**Environmental Element**

The property to be rezoned does not contain wetlands and is not within the 100-year floodplain. Therefore the zone change is consistent with this element of the Comprehensive Plan.

**Land Use Element**

Page 19 of the Comprehensive Plan states:

*“The goal of the city’s commercial land use category is to provide sufficient lands to continue a stable economic base for delivery of goods and services to persons living within the Junction City area.”*

The Comprehensive Plan designation and rezone will provide for additional commercial lands to address a deficiency in commercial lands as noted in the Buildable Lands Inventory adopted in 2000 by the City. These additional commercial lands in the downtown area will help contribute to a stable economic base for the City.

**Economic Development Element**

There are no specific goals or policies of this element that relate to the application.

**Energy Conservation Element**

There are no specific goals or policies of this element that relate to the application.

**Transportation Element**

As stated in the Transportation Element of the Comprehensive Plan at page 50:

*“A goal of the Transportation Element is the safe movement of vehicles over city streets.”*

This block is adjacent to East 10<sup>th</sup> Avenue, a major collector capable of accommodating traffic. East 9<sup>th</sup> Avenue could be improved and East Front Street could be developed to provide greater street connectivity. Commercial use of the site will promote use of alternate modes of travel, such as bicycle and pedestrian, due to the site’s location in the General Commercial business area.

At page 1.1 of the Transportation System Plan, the Mission, Goals and Policies contained in the TSP are adopted as part of the Junction City Comprehensive Plan. TSP-2 (p. 2-2) states:



*“When making a land use decision, the City shall consider the impact of the new development on the existing and planned transportation facilities.”*

10<sup>th</sup> Avenue is designated as a major collector, therefore, is an appropriate facility to provide primary access for any future commercial development on the block. Traffic impacts to the surrounding residential uses will also be reviewed at the time of development.

**Public Facilities Element**

The Comprehensive Plan states:

*“It is a goal of this plan to provide public facilities in an efficient and timely manner at levels in excess of projected demands.”*

Public facilities and services are immediately available to the site and can be provided in an efficient and timely manner.

**Parks, Recreation, Historical and Cultural Preservation Element**

It is the policy of the city to collect System Development Charges from developers to improve city parks. There will be fees collected from the applicant at the time of development. In addition, the city comprehensive plan states that historical buildings will be preserved. It can be found that there are no historical buildings located on the subject properties.

EXHIBIT B



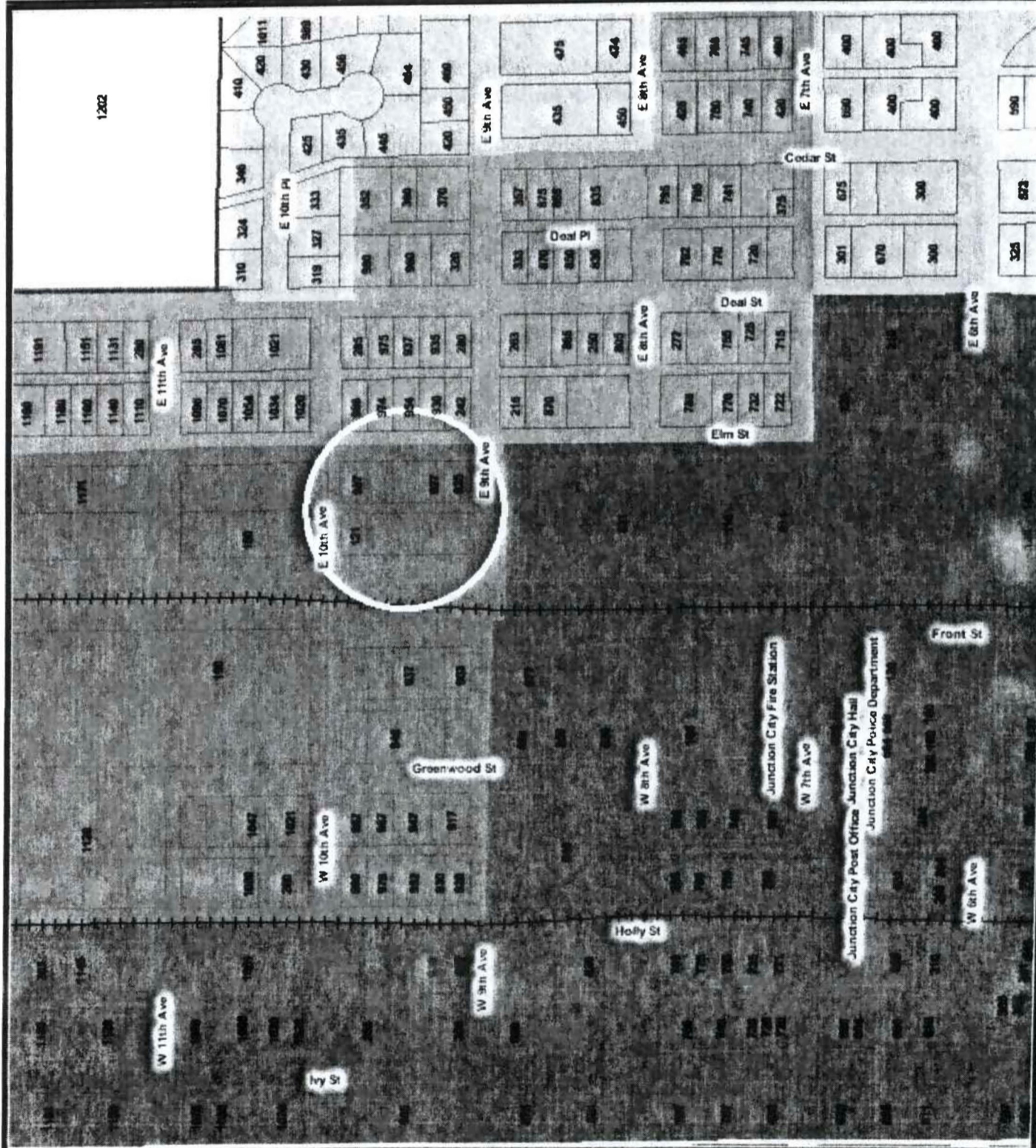
Comp Plan Amendment  
CPA07-01

Legend

Plan Designation (ZC):

- Commercial
- Industrial
- Low Density Residential
- Medium Density Residential
- Community / Residential
- Professional / Technical
- Public
- Open Space / Wetlands

Scale 1:3,573  
1 in = 298 ft

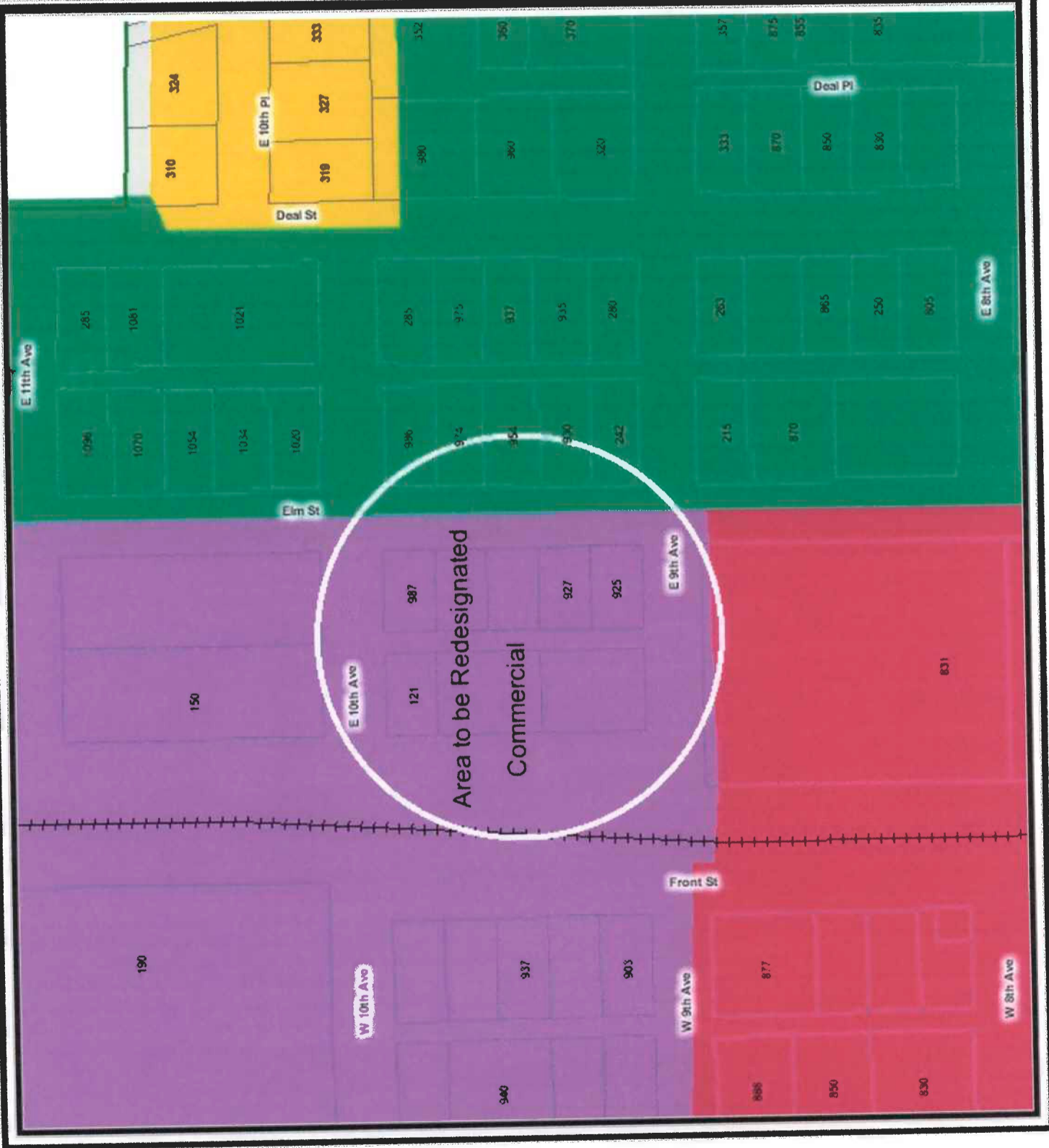




# Junction City Comprehensive Map EXHIBIT B

## Legend

Scale 1:1,762  
1 in = 147 ft





# Junction City Zoning EXHIBIT C

## Legend

Zoning (JC)

- AGRICULTURAL
- PUBLIC LAND
- SINGLE FAMILY RESIDENTIAL
- DUPLEX FAMILY RESIDENTIAL
- MULTI-FAMILY RESIDENTIAL
- MULTI-STRUCTURAL RESIDENTIAL
- COMMERCIAL/RESIDENTIAL
- CENTRAL COMMERCIAL
- GENERAL COMMERCIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- SCW OVERLAY

Scale 1:1,870  
1 in = 156 ft



Area to be Rezoned  
to General Commercial