



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: February 24, 2015  
Jurisdiction: City of Junction City  
Local file no.: CPA-14-01 & RZ-14-04  
DLCD file no.: 006-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 02/19/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 57 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 006-14 {22563}

Received: 2/19/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Junction City

Local file no.: CPA-14-01 and RZ-14-04

Date of adoption: February 10, 20

Date sent: 2/12/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 11/24/2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

No.

Local contact (name and title): Jordan Cogburn, City Planner

Phone: 541-998-4763

E-mail: jcogburn@ci.junction-city.or.us

Street address: 680 Greenwood Street

City: Junction City

Zip: 97448-

## PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

### For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

### For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from	to	acres.	A goal exception was required for this change.
Change from HDR	to Commercial	1.11 acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 15-04-32-22-00601 1701 Juniper St. all in UGB

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

Comprehensive Plan Designation Map amendment to re-designate 1701 Juniper Street from HDR to Commercial and Rezone from R4 to General Commercial

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from R4	to GC	Acres: 1.11
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

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List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

ORDINANCE NO. 1228

AN ORDINANCE AMENDING THE CITY OF JUNCTION CITY COMPREHENSIVE PLAN MAP RE-DESIGNATING TAX LOT 601 OF T15S R04W S32 FROM HIGH DENSITY RESIDENTIAL (H) TO COMMERCIAL (C), AND AMENDING THE OFFICIAL ZONING MAP TO REZONE TAX LOT 601 OF T15S R04W S32 FROM MULTI-STRUCTURAL RESIDENTIAL (R4) TO JUNCTION CITY OFFICIAL ZONING GENERAL COMMERCIAL (GC).

WHEREAS, On October 28, 2014, the City Council initiated the Comprehensive Map Amendment and Rezone in order to designate and rezone the property to a more appropriate land use designation for the current uses; and

WHEREAS, the City provided notice of and held public hearings before the Planning Commission and City Council as required by Section 17.150.070(A)(4) and Section 17.145.030(C) of the Junction City Municipal Code; and

WHEREAS, On January 20, 2015 the Planning Commission recommended approval of the Comprehensive Map Amendment and Rezone; and

WHEREAS, the City Council took testimony on this matter, taking said testimony into consideration in making its decision; and

WHEREAS, the City Council determined that said redesignation from High Density Residential (H) to Junction City Comprehensive Plan Map designation of Commercial, and rezone from Multi-Structural Residential (R-4) to Junction City Zoning GENERAL COMMERCIAL (GC) is consistent with applicable Statewide Planning Goals, as set forth in the staff report and Exhibit B; now, therefore

THE CITY OF JUNCTION CITY ORDAINS AS FOLLOWS:

Section 1. The City of Junction City Comprehensive Plan Map and Official Zoning Map is hereby amended to reflect the new designation of C, COMMERCIAL, and new zoning of GC, GENERAL COMMERCIAL, for tax lot 601 of T15S R04W S32 as particularly described in Exhibit "A", attached hereto and incorporated herein by this reference.

Section 2. The City Council of the City of Junction City adopts the above findings and the Findings of Fact as set forth in Exhibit "B", attached hereto and incorporated herein by this reference, as the basis of adoption of this Ordinance.

Section 3. This Ordinance shall take effect on the thirtieth day after its enactment.

Read in full for its first reading on the 10<sup>th</sup> day of February, 2015.

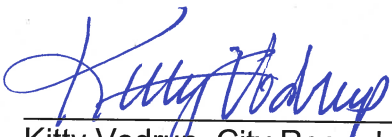
Read by title only, for its second reading this 10<sup>th</sup> day of February, 2015.

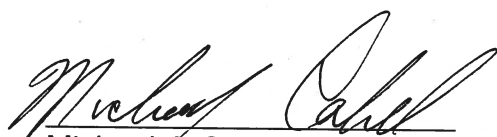
Passed unanimously by the Council this 10<sup>th</sup> day of February, 2015

Approved by the Mayor this 10<sup>th</sup> day of February, 2015.

ATTEST:

APPROVED:

  
Kitty Vodrup, City Recorder

  
Michael J. Cahill, Mayor

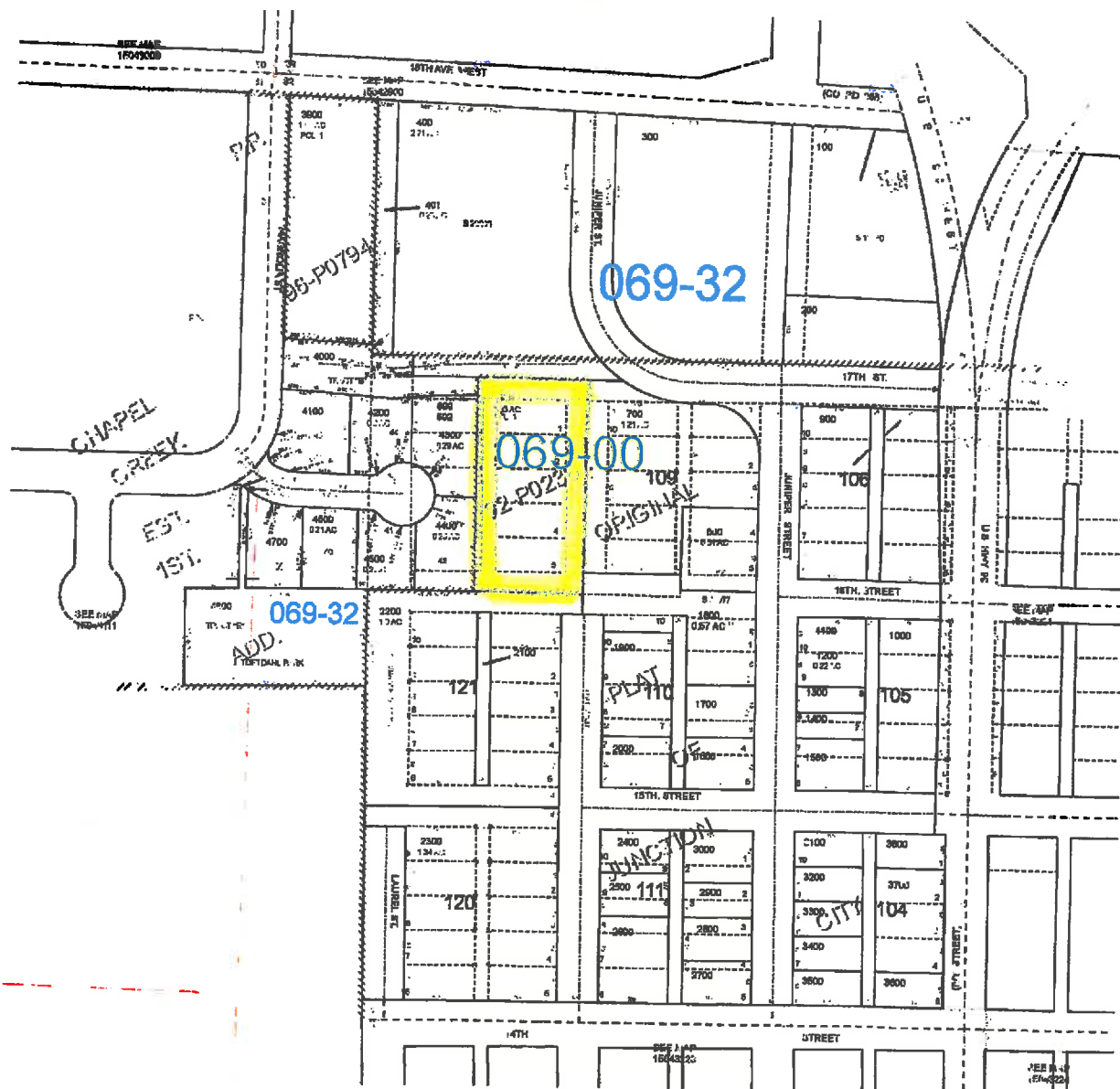
**EXHIBIT A**

FOR ASSESSMENT - NO  
TAXATION ONLY

N.W.1/4 N.W.1/4 SEC. 32 T.15S. R.4W. W.M.  
Lane County  
1" = 100'

15043222  
JUNCTION CITY

12/20/2013 04:15:17



**CANCELLED**  
**800**  
**502**  
**1100**  
**1800**  
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RECEIVED  
JAN 10 1964  
U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C.

JUNCTION CITY  
15043222

**EXHIBIT "A"**

**Parcel 1:**

A parcel of land lying in the Southwest one-quarter of Section 5, Township 16 South, Range 4 West, of the Willamette Meridian, Lane County, Oregon, and being a portion of that property described in that deed to the State of Oregon, by and through its State Highway commission, recorded in Book 186, Page 133 of Lane County Records of Deeds; the said parcel being that portion of said property lying Southerly of a line parallel with and 15 feet Southerly of the Northerly line of said property.

(550 Hatton Lane, Junction City, Oregon; 16-04-05-32-01100)

**Parcel 2:**

PARCEL 1 of Land Partition Plat No. 92-P0236, Lane County Official Records, in Lane County, Oregon.

(1701 Juniper, Junction City, Oregon)

**FINDINGS OF FACT  
COMPREHENSIVE PLAN MAP AMENDMENT AND REZONE  
(CPA-14-01) (RZ-14-04)**

1. On October 28<sup>th</sup>, 2014, the City Council initiated the amendment and rezone as authorized by JCMC Chapter 17.150.070(4)(D) and page 2 of the Comprehensive Plan.
2. The Junction City Planning Commission held a public hearing on January 20<sup>th</sup>, 2015 in accordance with JCMC Chapter 17.150.070(4)(D) and page 2 of the Comprehensive Plan and considered all material relevant to the Plan Designation Map Amendment and Rezone that have been submitted by staff and the general public regarding this matter.
3. The proposed amendments apply a Commercial use designation that is more appropriate for the commercial uses of the site than the current High Density Residential designation.
4. The recommended amendments and rezone are consistent with the Junction City Comprehensive Plan and Statewide Planning Goals as described below.
5. JCMC 17.150.070.A.4.D sets forth procedure and notice requirements for amendments to the Comprehensive Plan and Zoning Ordinance, as follows:

“A minimum of two hearings, one before the planning commission and one before the city council, are required for all Type IV applications, except for withdrawals of property from special districts prior to annexations where only a review by the council is required. Procedures for these hearings are set forth in JCMC 17.150.090. Notice of the decision shall be sent to the applicant and any other person who submitted comments on the application during the time allotted for such submissions.”

The Planning Commission held a public hearing on January 20, 2015. The Junction City Council held a public hearing on February 10<sup>th</sup>, 2015 after giving the required notice for Legislative decisions per Junction City Municipal Code Section 17.150.070 (A) (4) (d).

JCMC 17.150.080.C.2 reads, “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.”

The following notice was completed for the Planning Commission public hearing:

Public hearing notice of the changes to the Comprehensive Plan Designation Map and Zoning District Map were advertised in the Register Guard, January 6, 2015, mailed to surrounding property owners, December 24, 2014, and posted to the Junction City website on January 12, 2015 consistent with Chapter 17.145.030(A)

Notice of the proposed change to the Comprehensive Plan Designation Map and Zoning District Map was mailed to DLCD, November 24, 2014, no sooner than the required 35-days prior to the first public hearing with DLCD's approval.

The following notice was completed for the City Council public hearing:

Notice of the meeting was published in the Register Guard on January 29, 2015, a minimum of 10 days prior to the hearing, and mailed to surrounding property owners, January 23, 2015.

A record of the proposed changes to the Comprehensive Plan Designation Map and Zoning District Map was made available on the City's website, as well as at City Hall.

6. The proposed amendment is consistent with the Comprehensive Plan and the Oregon Statewide Planning Goals.

#### **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.*

**FINDING:** Junction City will follow the prescribed procedures for public hearings before the Planning Commission and City Council as required by Title 17, Zoning and Land Use of the Junction City Municipal Code.

#### **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.*

**FINDING:** The Junction Comprehensive Plan currently serves as the controlling land use document for the City. The proposed Comprehensive Plan Map amendment and Rezone would redesignate the parcel as Commercial, and a rezone the parcel to General Commercial (GC). The Comprehensive Plan policies provide the overarching framework for implementation of the Zoning Code and the process noted above.

#### **Goals 3 Agricultural Lands and 4 Forest Lands**

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

**FINDING:** Goal 3 requires counties to inventory agricultural lands and to maintain and preserve them through EFU zoning. Goal 4 requires counties to inventory forestlands and adopt policies that will conserve forest uses. The land proposed for redesignation and rezone is within the acknowledged Urban Growth Boundary of the City of Junction City and therefore identified for urban uses, 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.*

**FINDING:** Goal 5 requires local governments to inventory and protect natural resources. There are no inventoried significant Goal 5 resources located on the parcel and therefore Goal 5 is not applicable.

#### **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.*

**FINDING:** Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations. By complying with applicable air, water and land resource quality policies in the Junction City Comprehensive Plan, Goal 6 will be properly addressed. The proposed Comprehensive Plan Map Amendment and Rezone have no Goal 6 impact.

#### **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.*

**FINDING:** 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. Land within the floodway is considered unsuitable for urban development. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map covering the subject property indicates that a portion of the property is in "Flood Zone A" The city has adopted the Ordinance No. 1063 Establishing Flood Damage Protection. This ordinance requires any development within the floodplain to obtain a floodplain permit from the city and will ensure compliance with this Goal. The site is currently developed as a commercial use and no new development is proposed. Therefore, the proposed

Comprehensive Plan Map Amendment and Rezone will not affect Natural Disaster or Hazard risk area boundaries, and thus, Goal 7 has been properly addressed.

#### **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.*

**FINDING:** The proposed Comprehensive Plan Map Amendment and Rezone does 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.*

**FINDING:** The proposal to amend the Comprehensive Plan land use designation and zoning of the site is consistent with the overall policy framework and analyses used to generate employment forecasts and estimate future land needs in the recent UGB expansion process. Although the current Comprehensive Plan Map identifies the site as Industrial, all recent discussions of the site have been in the context of its current use as a Mini Storage facility. The proposal to amend the land use designation and rezone the property does not change the intended use of the site, nor does it change the anticipated employment opportunities associated with the site. Therefore, the proposed Comprehensive Plan Map Amendment furthers Goal 9.

#### **Goal 10 Housing**

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

**FINDING:** The site is currently developed with a Mini Storage Facility as a commercial use. The proposal involves lands currently designated for residential uses. Chapter 9 of the Comprehensive Plan outlines the housing needs in regard to High Density Residential Zones. Table 19 of the Comprehensive Plan - Residential Land Need Estimate, Junction City UGB, 2011-2031, shows a total area needed for High-Density Residential of 28 gross acres. Table 22 – Vacant and Partially Vacant Residential Land by Plan Designation, Junction City 2010, shows a total of unconstrained High Density Residential land of 34 acres, within a total of 12 tax lots. The proposed Comprehensive Plan Map Amendment and Rezone are for a parcel that is fully developed with a Commercial Mini Storage Facility and is considered in Table 22 as Acres Unavailable for Housing. Therefore, the proposed Comprehensive Plan Map Amendment and Zone Change will be in compliance with Chapter 9 of the Comprehensive Plan and Goal 10 of the Statewide Planning Goals has been properly addressed.

### **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.*

**FINDING:** The proposed Comprehensive Plan Map amendment and Zone Change have no impact on provision of public facilities and services. Therefore, Goal 11 does not apply.

### **Goal 12 Transportation**

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

**FINDING:** 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)).

The subject property is located on Juniper Street, south of West 18<sup>th</sup> Avenue. Juniper Street is a fully improved roadway and is classified as a Minor Collector street. No new development is proposed at the site and the proposed change in land use designation and zoning of the site does not affect the current use, its location, or its transportation impacts. Therefore, Goal 13 has been adequately addressed.

### **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."*

**FINDING:** Goal 13 requires land and uses developed on the land to be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. Energy consequences of the proposed urban growth area amendment have been considered in the Goal 14 alternatives analysis process undertaken as a part of the recently approved UGB expansion. The proposed change in land use designation and zoning of the site does not affect the actual use, its location, or its energy impacts. 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.*

**FINDING:** The proposed Comprehensive Plan Map Amendment and Zone Change do not involve urbanization of any land not currently within the Junction City UGB.

The proposed Comprehensive Plan Map Amendment 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.*

**FINDING:** 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.

### **Compliance with Junction City Comprehensive Plan**

#### **Chapter 1 – Citizen Involvement**

**FINDING:** 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 (City Council) and is being considered in two public hearings, one with the Planning Commission and one with City Council, consistent with JCMC Chapter 17.150.070.4.D

#### **Chapter 3 - Land Use**

The City’s Comprehensive Plan includes a Public Land designation and a corresponding Public Land zoning district. All recent discussions of the site have been in the context of its current use as a mini storage facility. The proposal to amend the land use designation and zoning does not change the current use of the site, nor does it change the anticipated employment opportunities associated with the site. Redesignating the site to Commercial and Rezoning the parcel to General Commercial is more consistent with the existing use and neighboring facilities.

7. Referrals were sent to city departments, and relevant local and state agencies and governments.

### **SUMMARY AND CONCLUSION**

For all the reasons set forth above, the proposed amendments comply with the Junction City Comprehensive Plan and other Junction City ordinances.