**CANYONVILLE PLANNING COMMISSION MINUTES**

**REGULAR SESSION**

**DECEMBER 14, 2022**

##### **Call to Order and Pledge of Allegiance:**

Commissioner Emory called the meeting to order at 7:00 p.m. and all joined in the Pledge of Allegiance.

**II. Roll Call:**

COMMISSION PRESENT: Chairman Emory, Commissioners, Hill, Butler and Sales.

COMMISSION ABSENT: Commissioner Hopkin

STAFF PRESENT: Planner Evans

STAFF ABSENT: None

**III**. **Approval of the minutes:** September 14, 2022

Commissioner Hill moved and Commissioner Sales second a motion to approve the minutes of September 14, 2022. All voted yes. Motion passed

 **IV. Agenda Review/Additions:**

None

##### **V. Public Hearings:**

1. Comprehensive Plan Map Amendment and rezone for Jason Caro on property located on the east side of Hill Drive at the NW and SW of the

Fairchild intersection.

 \*Chairman Emory inquired if any Commissioners wished to declare exparte contact or a conflict of interest. Commissioner Hill stated he knew the applicant but he didn’t have any conflict of interest.

 \*Chairman Emory opened the public hearing on the requested Map Amendment and Rezone application for Jason Caro.

 \*Chairman Emory called for the staff report

 \*Planner Evans recapped the following staff report.

**Nature of Request:**

The applicant is requesting a Comprehensive Plan Map Amendment and rezone for 1.54 acres of land on the west side of Hill Drive. The property stretches from the intersection of Geary to the City’s water tower at 412 Hill Drive. The current Comprehensive map designation is Public/Open Space/Conservation and the zoning is Woodland/Open Space/Agriculture. The request is to change the Comprehensive Plan designation to residential and the zoning to Single Family Residential.

The property is primarily a hillside with the potential to develop two single family homes. The applicant has identified a potential site on the north part of the property and the southern portion. Approval of the request will allow the applicant to pursue the possibility of constructing a home on the site.

Since the Comprehensive Plan and Map are the overall guiding documents for development within the City of Canyonville and the zoning ordinance is in the implementing process for achieving the Comprehensive Plan it is necessary to address the Comprehensive Plan amendment first. To simplify the application we will address the Comprehensive Plan criteria and then go on to the rezone criteria.

The Canyonville Comprehensive Plan provides the criteria for a Comprehensive Plan Map Amendment: *The applicant has submitted proposed findings which have been included in italics for your convenience*. My additional findings will remain in basic text.

**Criteria 1. There is a need for the proposed change.**

**FINDINGS:**

**1a.** The subject property is located on the west side of Hill Drive and is combined into one tax lot #902. However, this tax lot actually contains two separate parcels for a combined total of 1.54 acres in size. The two parcels are divided by a platted 60’ undeveloped right of way which was to provide future access to a large piece of undeveloped property adjacent to the City’s limits.

**1b.** The current Comprehensive Plan designation for the subject property is Public/Open Space/Conservation. The designation does not allow for residential use unless the property exceeds 10 acres.

**1c.** The requested Plan map change to Residential and rezone to Single Family Residential is to allow possibly the development of 2 homes on the property.

**1d.**TheCity of Canyonville has experienced a growth spurt in the last four years and all the easily developable vacant land has been utilized. Residential property continues to remain in demand. The City annexed 50 acres of vacant land into the City in 2015 which was to be developed for residential use. However, the proposed development has never been completed and the property owner refuses to sell the property to another developer which leaves the City with very little residential land available.

**1e.** *The applicant states in his findings there is a need for additional dwelling units in Canyonville. The proposed plan amendment will facilitate a limited development project on property that is not reasonably suitable for multifamily units, while not depleting land from any of the city’s buildable lands.*

**Criteria 2. The identified need can best be served by granting the change requests.**

**2a.** *The applicant submits that the proposed plan amendment will help the City’s need to meet a housing need for additional single family dwellings.*

**2b.** The open space designation of the property is primarily applied to the land due to the steep hillside. Steep slopes are not necessarily prohibited from building but require geo technical studies prior to any development to insure they can be built upon safely.

**2c.** The applicant has committed to having a geotechnical study of the property completed by a professional. He feels confident that there are two plateaus where homes could be safely built.

**2d.**  The residential portion of the City’s Buildable Land Inventory was updated as part of the Urban Growth Boundary expansion, Annexation and rezone of the Falk application. Table 7 specifically addresses the 2015 Residential Inventory.

Table 7 (Page 20, Falk Estates Plan Amendment, 2015)

General Land Use Category Gross Vacant Acres Under-utilized Acres Total Vacant Acres Vacant Flood Plain Steep Hillside Acres Total Constrained Acres Buildable Vacant Acres

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **General Land Use Category** | **Gross Vacant Acres** | **Under-utilized Acres** | **Total Vacant Acres** | **Vacant Flood Plain** | **Steep Hillside Acres** | **Total Constrained Acres** | **Buildable Vacant Acres** |
| **Inside City Limits** |
| **Residential R-1** | 80.7 | 26.4 | 107.1 | 2.9 | 42.6 | 45 | 62.1 |
| **Residential R-2** | 11.2 | 0.8 | 12 | 0 | 3.2 | 3.2 | 8.8 |
| **Residential R-3** | 8.6 | 0 | 8.6  | 0.5 | 6 | 6.5  | 2.1  |
| **Sub-Total** | **110.5**  | **27.2** | **127.7**  | **2.9** | **51.8** | **54.7**  | **73** |

**2e.** According to the 2015 buildable land inventory there is 11 acres of land zoned as open space and 5.3 acres is listed as buildable vacant land. The zoning intent for the open space indicates that the land designated as open space is intended for future development.

**Criteria 3. The proposed change is not in violation of state land use goals, statutes and rules.**

**3a.** In compliance with state statutes regarding notification of land use applications the City mailed notice to all affected property owners on November 22, 2022 and published a public notice in the News Review on November 23, 2022. As required for any Comprehensive Plan amendments notice was provided to the Department of Land Conservation and Development on November 2, 2022.

**3b.** The Canyonville City Council makes all final decisions on any application to change the Comprehensive Plan or Map designation. They will hold the final hearing on January 17, 2023.

**3c.** The 2015 BLI does not need to be amended as part of the proposed rezone. This is because the proposed rezone does not take the City’s Housing Element in the Plan out of compliance with Goal 10 with the shifting of 1.5 acres from Open Space to Residential. This is because the city’s housing inventory of needed lands is not affected by the addition of this additional R-1 zoning. The amendment results in only a minor “housekeeping” change to the current 2015 BLI as follows:

 Under Tables 5, the 1.5-acres is shifted from Open Space to Residential under Vacant Acres.

 Under Table 6, the 1.5-acres is shifted from Open Space to Residential under Steep Hillside Acres.

 Under Table 7, the 1.5 acres is added to Residential R-1 under Vacant Steep Hillside.

**3d.** The applicant has submitted the following findings to address the State Wide Planning Goals.

***Statewide Planning Goals***

***Goal 1 Citizen Involvement (LCDC Goal & Comprehensive Plan Policies)***

***Finding****: The application is being considered by the Planning Commission, which serves as the Committee for Citizen Involvement, and by the City Council for review and a final decision. All materials included in this application will be made available for public review at City Hall.*

*The application is a Post Acknowledgment Plan Amendment (PAPA) and requires that the city provide notice of the public hearing to the Department of Land Conservation and Development (DLCD). No approval by the state is required.*

*Goal 1 has been met.*

***Goal 2 Land Use Planning***

***Finding:*** *The City of Canyonville has a comprehensive land use plan and implementing zoning regulations that are acknowledged by the Land Conservation and Development Commission (LCDC), as complying with all applicable statewide goals, administrative rules, and statutes. As provided by state law, this application is an amendment to the City’s implementing Plan and Zoning maps. As required, the applicant has provided findings of fact to show that these changes comply with all applicable statewide planning goals and the City’s Comprehensive Plan.*

*As required by Goal 2, the proposed implementing zoning will be consistent with the comprehensive plan designation.*

*Goal 2 has been met.*

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

***Finding:*** *There are no riparian or wetland areas, or unique or other significant habitats, located on the subject property. The public street of Hill Drive, fronting the subject property, is not designated in the Plan as scenic routes.*

*Goal 5 has been met.*

***Goal 6 Air, Water and Land Resources Quality (LCDC Goal & Comprehensive Plan Policies)***

***Finding****: According to the Comprehensive Plans Natural Features Chapter, there are no significant air pollution sources in the area, and the airshed of Canyonville meets all federal and state air quality standards. The proposed plan map and zone change, to allow multifamily units, will not threaten to violate air quality standards or will it cause a significant noise-related problem, as retail uses and activities are already located near the subject property.*

*City services for waste disposal and water services are currently to the property. New installations for sewer and water service will be done in accordance with city engineering standards.*

*Goal 6 has been met.*

***Goal 7 Areas Subject to Natural Hazards (LCDC Goal & Comprehensive Plan Policies)***

***Finding:*** *The Comprehensive Plans Natural Features Chapter covers slope and geologic hazards, soils, and flood hazards. Portions of the subject property are located within a steep slope area exceeding 12% grade. The owner will need to adhere to the city’s implementing zone addressing these steep slopes.*

*Goal 7 will be met.*

***Goal 10 Housing (LCDC Goal & Comprehensive Plan Policies)***

***Finding****: Goal 10 mandates that Canyonville provide for the housing of citizen of the state.*

*According to the Comprehensive Plans’ Housing Chapter, “… in order to provide greater choice, the City is encouraged to designate a greater proportion of land in the higher density, since the Medium and High-Density Residential plan designations also allow low density residential uses” (Comprehensive Plan, p. 32).*

*The proposed plan map and zone change will provide for additional housing, on land partially identified as having steep slopes. No loss of any land currently designated for residential use, that helps the City meet its housing need, will be affected by the proposal.*

*Goal 10 is met.*

***Goal 11 Public Facilities and Services (LCDC Goal & Comprehensive Plan Policies)***

***Finding****: Goal 11 requires that the city plan and develop a timely, orderly and efficient arrangement of public facilities and serves as a framework for urban development.*

*Municipal sewer and water service is available within the right-of-way of Hill Drive fronting the subject property. New installation of water and sewer service will be done in accordance with city standards. City approval of driveway accesses will be obtained prior to making applications for construction permits.*

*Goal 11 is met.*

***Goal 12 Transportation (LCDC Goal & Comprehensive Plan Policies)***

***Finding****: The proposed plan and zoning map amendment is subject to OAR 660-012-0060 of the Transportation Planning Rule. If a land use amendment would “significantly affect” one of the city’s existing or planned transportation facilities, then the city must put in place measures to ensure that the land uses are consistent with the identified function, capacity and performance of the facility.*

*Hill Drive is the city street facility that abuts the subject property. The anticipated volume and pattern of vehicle traffic resulting from the proposed rezone will not change from the historic traffic patterns of Hill Drive.*

*The proposed zone change will not create a significant effect on the surrounding streets, including one of the identified “problem” streets Geary Street. This is because there are other accesses off of Hill Drive for vehicles to use to reach city arterials and collectors.*

*Goal 12 has been met.*

***Conclusion****: For the reasons discussed above, the proposed plan map and zone change is consistent with all applicable statewide planning goals, under Goals 1, 2, 5, 6, 7, 10, 11, 12 and 14.*

*There are no agricultural (Goal 3) or forest lands (Goal 4) associated with the subject property and no recreational facilities will be impacted by the proposed use. The current Woodland/Open Space Zone is not an economic development zone associated with the industrial and commercial land supplies. The use of the property for new construction will however help to promote the city’s economy. Therefore, Statewide Planning Goal 3 (Agricultural Land), Goal 4 (Forest Land), Goal 8 (Recreation), and Goal 9 (Economy). No change to the city’s buildable land inventory is necessary under Goal 14 (Urbanization). The Willamette Greenway and Coastal goals under Goal 15 through 19 do not apply.*

**3e.** The City has received a letter from the Fair Housing Council commenting on the proposed application. Their comments were as follows:

 This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians.

 Both HLA and FHCO commend the City and support the adoption of ZC-01-2022. The staff was receptive to our initial feedback and created an inciteful and detailed staff report, with well written Goal 10 findings justifying the proposal. This will be used as a good example for other jurisdictions. Good Luck with the continuation of the project.

***Criteria 4. The proposed change is compatible with other elements of the City Comprehensive Plan.***

***4a.*** The applicant has provided the following findings addressing the applicable elements of the City Comprehensive Plan.

***CITIZEN INVOLVEMENT GOAL: TO PROVIDE SUFFICIENT OPPORTUNITITES FOR CITIZEN INVOLVEMENT IN THE CITY’S PLANNING PROCESS***

***POLICIES:
 “****1. The City shall, through the Planning Commission (which also serves as the Committee for Citizen Involvement) and the Common Council, allow interested persons to participate in the adoption, review and evaluation of the Canyonville Comprehensive Plan and Implementing measures, amendments and revisions thereto by means of oral or written testimony.*

 *2. Written material and other exhibits considered in making land use policy decisions shall be available for public review at City Hall.”*

***Finding****: See the findings discussed above under Statewide Planning Goal 1 Citizen Involvement.*

***NATURAL FEATURE’S GOAL 1: TO PREVENT INAPPROPRIATE DEVELOPMENT IN NATURAL HAZARD AREAS.***

*The City’s plan policies under the Natural Features Goal direct the way the City implements standards for unstable soils, the Steep Slope Overlay District, slopes in excess 18%, floodway and floodway fringe.*

***Finding:*** *Portions of the subject property are within the Steep Slope Overlay, in excess of 12% slopes and will be subject to the city’s implementing standards. The subject property is not within the floodway or flood fringe zone. The above policy will be met.*

***NATURAL FEATURE’S GOAL 2: TO CONSERVE, WHERE FEASIBLE, AGRICULTURAL AND FOREST LANDS.***

*The policies call for preserving agricultural and forest land for farm and forest uses located outside the 1997 Canyonville Urban Growth Boundary, encouraging reforestation and complying with all applicable state and federal environmental regulations.*

***Finding:*** *The subject property does not contain any agricultural or forest uses. The steep slopes, elevation change and vegetation present on the subject property will help to preserve any farm or forest uses that may be occurring on Tax Lot 1600, west of the subject property. This plan policy has been met.*

***NATURAL FEATURE’S GOAL 3: TO PROTECT THE COMMUNITY’S NATURAL ENVIRONMENT BY PRESERVING VEGETATION, WILDLIFE AND WATER RESOURCES.***

*The City’s policies support the construction of small dams that will enhance the supply and quality of Canyonville’s water resource during the summer, encourage reforestation, discourage significant changes in existing wildlife habitat, encourage the rehabilitation of aggregate sites, and protect water resources and riparian vegetation from adjacent developments. The policies require that riparian buffer be maintained, and wetlands are to identified by developers and consistent with Division of State Lands and Army Corps of Engineer requirements.*

***Finding****: None of the natural resources describes in these policies are located on or nearby the subject property.*

***HOUSING GOAL 1: TO PROVIDE HOUSING APPROPRIATE TO THE NEEDS OF ALL MEMBERS OF THE COMMUNITY.***

***POLICIES:***

*“1. Explore public and private means of providing needed housing for the elderly and low-income households.*

*2. Encourage innovative designs for various types of multi-family housing in order to meet the diverse needs of smaller households (the elderly, young families, etc.).*

*3. As a general rule, high density residential uses should be located closest to commercial areas, public facilities, and major streets, with increasingly lower densities radiating away from these activity centers and transportation corridors.*

*4. The City encourages and recognizes government assisted housing as a source of affordable, safe and sanitary housing opportunities for low-, moderate-, and fixed-income households.”*

***Finding****: The proposed zone change will provide for some additional dwellings in an area that does not affect the city’s buildable land inventory. The subject property is located near commercial areas, and water and sewer facilities and street network are to the property. \*in the vicinity but not to the property line.*

***HOUSING GOAL 2: TO CONSERVE THE CURRENT HOUSING STOCK OF CANYONVILLE.***

*These plan policies encourage the rehabilitation of deteriorating housing through development of a state or countywide incentive program which would reward the maintenance and repair of older housing, and the quick replacement of all dilapidated housing with inexpensive alternatives.*

***Finding:*** *The proposed rezone does not involve current housing stock, and this policy does not apply.*

***HOUSING GOAL 3: TO PROMOTE GREATER VARIETY AND LIVABILITY IN FUTURE RESIDENTIAL DEVELOPMENTS.***

*These plan policies apply to new manufactured homes, planned residential development projects, and applying buffer zones between residential areas and conflicting land uses in order to protect the overall livability of those areas.*

***Finding:*** *No planned residential development is proposed because the lot is limited to require the additional buffering and infrastructure needed to accommodate the said development. The applicant believes that the R-1 Zone proposed for the property provides an appropriate land use between the residential land uses to the east and south, and the open space and resource zones located north and west of the subject property.*

***TRANSPORTATION GOAL 1: TO IMPROVE TRAFFIC FLOW AND INCREASE THE SAFETY OF THE PRESENT SYSTEM.***

*The City’s transportation plan policies require coordination with the Oregon Department of Transportation and Douglas County on transportation related matters. The policies also address off‑street parking, and bringing poor streets up to minimum standards. The following policy is applicable to the proposed zone change:*

 *“1. Streets identified as ‘problems’ shall be upgraded as funds become available. The priority for improvement should be (1) Byron Avenue and Fifth Street, (2) Geary, (3) Hamlin Drive, (4) Elliott Avenue, (5) Leland and Fifth.”*

***Finding****: As state above, Hill Drive abuts the subject property to the east. The driveway accesses to the building sites will be from Hill Drive. Hill Drive, along with Geary, will not be significantly affected by the proposed zone change as vehicle access options, including Harrison and Fairchild streets, are also available.*

***PUBLIC FACILITIES AND SERVICES GOAL 2:******TO PROVIDE THE GREATER COMMUNITY AN ADEQUATE VARIETY AND LEVEL OF PUBLIC SERVICE.***

*The plan includes a policy requiring new development to be supported by adequate sanitary sewer, water, storm drainage and transportation facilities, as prescribed in the Plan.*

***Finding****: Sewer and water services and road network are already to the subject sites and will support development of single-family dwellings.*

***LAND USE AND URBANIZATION GOAL 1: TO ENSURE THAT FUTURE DEVELOPMENT ENHANCES OUR COMMUNITY’S QUALITY OF LIFE AND PROCEEDS IN AN ORDERELY MANNER.***

*The plan policies under the City’s Land Use and Urbanization goal guide the City’s planning for open land within the City, locating commercial lands and parks, pedestrian and bicycle paths, development phasing and expanding the City’s Urban Growth Boundary.*

***Finding****: These policies are not directly applicable to the proposed zone change. However, the proposed rezone to R-1 is an appropriate zone for the property given the site constraints present.*

***HISTORIC GOAL 2:******TO PROMOTE AND PRESERVE THE PROTECTION OF LANDS WITH SITES, STRUCTURES, AND OBJECTS OF HISTORICAL SIGNIFICANCE.***

*The plan policies include provisions for land with sites, structures or objects of historic significance.*

***Finding****: The subject property is vacant, and the owner is not aware of any objects of historic significant present on the property.*

*In conclusion, the proposed plan map amendment and zone change is consistent with the City’s comprehensive plan goals, policies and plan designations. Specifically, policies for citizen involvement, natural and environmental features, housing, transportation (and public services), land use and urbanization and historic.*

**4b.** The applicant’s findings regarding the provision of public facilities to the property is erroneous there are utilities within the vicinity of the property but they are not provided to the lot line. The closest waterline is the 8” line that runs along Hill Drive. Due to the elevation of the lots the developer may need to determine if they will need a booster pump for adequate water pressure. There is no sewer in Hill Drive and none of the sewer lines on Geary, Fairchild or Harrison go through to Hill Street.

**4c.** The applicant is advised that these issues will need to be addressed through a public improvement permit prior to any building plan approval. It is the City’s policy that the developer is responsible for the cost of all required improvement.

**4d.** Goal 2 of the Public Facilities and services policy #2 states the City should develop a systems development charge (SDC) for new development. The City has implemented this goal with the completion of a systems development study for both water and sewer. The charge applies to any new development. This project will be subject to the system development charge for single family dwellings.

**4e.** The applicant will be required to obtain a geo technical report to insure that they comply with the steep slope overlay requirements. The geo technical report must be submitted to the City for review and approval prior to any site development.

**4f.** According to the 2015 updated housing needs and analysis the City of Canyonville will need a total of 387 additional dwelling units by year 2034.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Housing typeUnits by type | Distribution ofUnits by type | HouseholdSize | Distribution of new population | Additional dwelling unitsNeeded by 2034 | Total dwellings adjusted for 8% vacancy |
| Single Family |  11% |  2.5 |  107  |  43 |  46 |
| Mnfg homes on lots |  5% |  2.5 |  48 |  19 |  21 |
| Mnfg home park units |  61% |  2.5 |  590 |  236 |  255 |
| Multi Family units |  23% |  2.5 |  223 |  89 |  96 |
|  |  |  |  |  |  |
| Total |  100% |  2.5 |  968 |  387 |  418 |

**4g.** The subject property is basically a hillside and has a steep slope overlay. Single families are the only uses allowed by the steep slope overlay.

**Zone change:**

The applicant is requesting to change the zoning designation on the 1.54 acres lot from Woodland/Open Space/Agriculture to Single Family Residential. He believes there is an area on the north property and one on the south property where a home could be placed.

Approval of the zone change will allow the applicant to potentially place a dwelling on the north property and the south property provided he obtains a geo technical report that indicates the ground can safely be developed for a home.

The Canyonville Zoning Ordinance chapter 18.88 provides the criteria for a rezone:

**1. Criteria: approval of the request is consistent with the statewide planning goals.**

**1a.** Consistency with the statewide planning goals was determined under the Comprehensive Plan Map amendment.

**2. Criteria: approval of the request is consistent with the Canyonville Comprehensive Plan.**

**2a.** Consistency with the Canyonville Comprehensive Plan has been determined under the Comprehensive Plan Map amendment.

**3. Criteria: The property and affected area is presently provided with adequate public facilities, services and transportation net works to support the use or such facilities, service and transport networks are planned to be provided in the planning period;**

**3a.** Hill Drive is a 20’ gravel road that is developed to a dead end at the City’s water reservoir to the North of the subject property. The only cross streets that connect to it are Geary and Fairchild Street. The property is split by a platted undeveloped 50’ right of way which was platted to provide access to possible development to the property to the west of the subject property which is located outside of the City limits.

**3b.** The access for the property will need to be determined dependent upon the location of the home and the topography of the property. The applicant will need to obtain a public improvement permit for the driveway prior to development to determine the best location.

**3c.** The property is not currently served with water or sewer. There is an 8” water line that runs on the east side of the road which could provide service. There are no sewer lines along Hill Drive and none of the cross street have sewer all the way to their intersection with Hill Drive. Connection to the sewer is possible but will need to be determined based on the location of the home and grade. These issues will need to be addressed through a public improvement permit.

**3d.** It is the City’s policy that the developer is responsible for all of the costs of connecting to the City water and sewer. The developer is responsible for obtaining a public improvement permit from the City and hiring a licensed contractor or plumber to connect to the City’s main lines.

**3e.** The applicant is advised that the maintenance of the sewer line is the property owner’s responsibility from the home all the way to the connection with the city’s sewer. This maybe a long distance depending on the location of the dwelling. The applicant is also responsible for the water line from the home to the water meter which will be located on Hill Drive. Due to the elevation of the property the developer may need to install a booster pump to have adequate water pressure for the home.

**3f.** The property is subject to a systems development charge for water and sewer. The system development charge for a single family dwelling is $10,390.00 per single family dwelling on the site. This fee must be paid prior to the issuance of any public improvement permit or building permit.

**4. Criteria: The change is in the public interest with regard to neighborhood or community conditions. Or corrects a mistake or inconsistency in the Comprehensive Plan or land use district map regarding the property which is the subject of the application.**

**4a.** According to the intent statement for the Woodland/Open/Agricultural zone the district is intended for application to areas within the city or the urban growth boundary which are not planned at present for urban types of development but which may be rezoned and planned for urban development.

**4b.** The applicant is requesting to rezone the subject property single family residential which is consistent with all the property located to the east of subject property is immediately adjacent to the westerly City limits and Urban Growth boundary. The property to the north is zoned Woodland/Open/Agricultural and all the property east is zoned single family residential.

**4c.** In 2013 a land owner located east of the City limits submitted an urban growth boundary adjustment and annexation application to add 50 acres of residential land to the City. The application was completed and approved in 2015. However, the land owner has never developed the property and refuses to sell it. This has left the City with a limited amount of land to be developed for new residential use.

**4d.** Approval of the proposed zone change from Woodland/Open/Agricultural to Single family residential would provide possibly 2 new sites for development.

**4e.** The applicant submits the following findings:

 *1. There is a need for additional dwelling units in Canyonville. The proposed plan amendment will facilitate a limited development project on property that is not reasonable suitable for multi-family units, while not depleting land from any of the city’s buildable lands.*

 *2. The current open space zone received an appropriate land use designation at time leading to the state acknowledgement. However, the circumstances have changed since then with the current owner now prepared to delineate the location of these steep slopes and avoid or mitigate them in order to build single-family dwellings. As presented in these findings, the proposed map amendment, allowing single-family dwellings, is an appropriate use of the subject property.*

 *3. Portions of the subject property contain steep slopes, as well as areas suitable for additional dwellings by avoiding or limiting development on these steeper slopes. Upon approval of the requested rezone, a site-specific topographic survey will be prepared by a licensed surveyor prior to submission of development applications affecting the steep slopes present on the subject property.5 This survey will be done in accordance with the standards in Section 18.68.030 and state law. Building construction will adhere to the limitations and design requirements specified in Sections 18.68.040 and .050, respectively.*

**5. Criteria: When a development application includes a proposed comprehensive plan amendment or land use district map change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility.**

**5a.** The area is already developed with Single Family Dwellings and the addition of two more homes will not impact the residential streets.

**5b.** The applicant submits the following finding:

 *Access to the subject property will be off of Hill Drive. It is common knowledge in transportation circles that potential vehicle trips generated from one dwelling unit is around 8 to 10 vehicle trips per day. The two proposed dwelling units currently discussed would therefore generate between 16 to 20 vehicles per day.*

**6. Criteria: a proposal shall be in the public interest with regard to neighborhood or community conditions when it can be shown to be compatible with the neighborhood such that the full range of possible uses will not interfere with conforming uses in the neighborhood.**

**6a.** The applicant has submitted the following findings to justify the proposal is in the City’s best interest:

***Finding****: The following table include the surrounding land uses, zoning and their location in relation to the proposed zone change and why the proposal is compatible with these surrounding uses:*

***Table, Surrounding Property Details***

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| ***Adjacent Tax Lots / Size*** | ***Zone*** | ***Location in relation to Rezone*** | ***Land Use*** | ***Compatible with Rezone because:*** |
| ***TL 4700 (Sec. 27CC) / .36 Ac*** | *R-1* | *To the East* | *Single-family Residential* | *Same zoning and land uses – dwellings* |
| ***TL 4800 (Sec. 27CC) / .19 Ac*** | *R-1* | *To the East* | *Single-family Residential* | *Same zoning and land uses – dwellings* |
| ***TL 4900 (Sec. 27CC) / .32 Ac*** | *R-1* | *To the East* | *Single-family Residential* | *Same zoning and land uses – dwellings* |
| ***TL 1600 (Sec. 28) / 134.55 Ac*** | *County Farm Forest* | *To the West* | *Vacant* | *Limitations under FF zone, including setbacks, size of TL 1600, vegetation and elevation difference* |
| ***TL 4800 (Sec. 34BB) / .95 Ac*** | *R-1* | *To the South* | *Vacant* | *Same zoning – R-1* |

*As part of being in the public interest, Chapter 18.88.050(E) further requires the plan amendment to be “compatible with the neighborhood.” As shown above, the proposed single family residential uses are compatible with the residential dwellings, public facility, and adjacent R-1 zoning. Single-family dwellings are the predominate use within the neighborhood.*

*The requirements for maintaining property setback distance and the requirement for on-site parking mitigate potential conflicts with street parking in neighborhoods.*

*The Plan map change is in an area of town that is an ideal location for additional dwellings, as the use of the subject property for multi-family housing or other land uses would not be appropriate due to site constraints.*

**6b.** The subject property will be rezoned to Single Family Residential which allows the following uses:

 A. Permitted uses:

 Single Family residences and manufactured homes subject to special siting requirements. Residential homes (five persons or less).

 B. Conditional uses:

 Boarding houses, parks and open space, schools, churches and public utilities.

**6c.** The applicant has submitted the following findings to demonstrate compatibility with the Single Family zoning:

 ***Findings:*** *The following section-by-section findings show that the subject property and anticipated uses are suitable for the proposed* ***R-1 Single-Residential Zone****:*

 ***Intent of R-1 Zone:*** *Consistent with the intent of the R-1 Zone - to provide low density area - the proposed zone change will allow the applicant to construct a single-family dwelling on the northern and southern portions of the subject property.*

 ***Permitted Uses in R-1 Zone:*** *The proposed dwellings are permitted uses in the R-1 Zone under 18.20.020(A).*

 *The overall development currently proposed will result in 2 dwelling units on 1.54-acres of land, or an overall density of 1 unit per .77-acres of 33,541.2 square feet. The size and shape of the subject property is consistent with minimum lot size of one unit per 7,500 square feet and the frontage standard of not less than 75-feet (Section 18.20.60).[[1]](#footnote-2)*

 ***Permitted accessary uses and structures in R-1 Zone:*** *Each proposed dwelling unit will have at least two (2) off-street parking spaces. Hill Drive will be used as the vehicle accesses to the subject property.*

 ***Conditional uses:*** *None of the conditional uses listed are proposed at this time.*

 ***Minimum lot size and area:*** *As stated above, the minimum lot size of the R-1 Zone is 7,500 square feet and the minimum frontage is 75 feet. The subject property meets these standards.*

 *No land partition to divide the subject 1.54‑acres of land is being considered at this time. As stated above, the proposed density of development is within the allowable dwelling density range of the R‑1 Zone.*

 ***Setback requirements:*** *The R-1 Zone requires a minimum setback of 15‑feet along Hill Street (local street), 5‑feet from side yards, and 10-feet from the rear yards (18.20.070). A setback of at least 25-feet on both lots will be maintained along the side yards that abut the unimproved right-of-way extension of Fairchild Street.[[2]](#footnote-3)*

 *As shown on the attached Site Plan Maps, the proposed setbacks comply with these minimum setback standards.*

 ***Building heights:*** *The height of any future buildings will need to stay below the 35-foot limit.*

 *Information has been presented to show that use of the property for single-family dwellings will be consistent with the Zones’ property development standards and will not significantly affect the surrounding streets in the neighborhood. Sewer and water facilities and other services are available to serve this use.*

**RECOMMENDATION:**

Approve the staff report and findings and recommend the Council approve the Comprehensive Plan map designation to Residential and zone the property R1 Single Family Residential.

 \*Chairman Emory asked if there was anyone who wished to speak in favor or opposed to the application.

 Mr. Caro informed the Commission that it is his desire to build a house somewhere on the property but they haven’t decided for sure where. There is a possible location on the north parcel and one on the south parcel. They included both spots in the application so they could decide later.

 There were no more comments and Chairman Emory closed the public hearing.

**Commissioner Hill moved and Commissioner Butler second a motion to approve the staff report, and findings and recommend the Council approve the Comprehensive Plan Map designation to Residential and zone the property R1 Single Family Residential.**

**Adjournment:** The meeting was adjourned at 7:40 p.m.

 **SUBMITTED BY: APPROVED BY:**

 **Janelle Evans, Planner John Emory, Chairman**

1. [↑](#footnote-ref-2)
2. [↑](#footnote-ref-3)