

City of Union, Oregon.



PO Box 529
342 S. Main Street
Union, OR 97883

Home to the Buffalo Peak Golf Course

Phone: 541-562-5197
Fax: 541-562-5196
www.cityofunion.com

CITY OF UNION OREGON PLANNING COMMISSION AGENDA

May 17, 2023 at 7:00pm

Leonard Almquist Chambers located at 342 S. Main Union, OR 97883

1. Call to Order and Roll Call

Commissioners:

Burton, Diller, L. Jones, J. Jones, Baird, Hall, Williams

2. Minutes

a. April – Planning Minutes

3. Old Business

4. New Business

a. MP 23-01 Minor Partition - Steve Johnston

5. Public Comment (All speakers are entitled to 3 Minutes)

6. Upcoming:

- a. Var 23-02 Variance - Martin Patterson
- b. ZC 23-01 Zone Change - Michelle Steevens

7. Adjourn

If you have a disability that requires any special materials, services, or assistance, please contact City Hall at least 48 hours prior to the meeting at 541-562-5197 so appropriate accommodations can be made.

CITY OF UNION OREGON PLANNING COMMISSION MINUTES
Wednesday, April 19, 2023, at 7:00 p.m.
Leonard Almquist Chambers located at 342 S. Main Union, OR 97883

This meeting was called to order at 7:00 p.m.

Roll Call: Commissioner Samn Diller excused, Commissioner Edwin Baird, Commissioner Jocelyn Jones, Commissioner Robert Burton excused, Commissioner Dan Hall, Commissioner Lani Jones, Commissioner Jeff Williams, and City Administrator Doug Wiggins.

The first item on tonight's agenda was the minutes for March's meeting. Commissioner Baird asked that a reason be added as to why one item was tabled. Commissioner Baird motioned to approve with correction. Commissioner J. Jones second. The minutes were approved with correction.

The next item on tonight's agenda was a public hearing for CUP 23-02. This item was tabled at the last meeting.

The public hearing opened at 7:04 p.m.
There was no conflict of interest or bias from Commissioners.

On the staff report, CA Wiggins said the staff report has not changed from last month. You can add and subtract conditions, these are just staff recommendations.

On applicant testimony, Dorthea Sutor said this is a little pull behind trailer, I am not hooking up to water and sewer. We don't need it. My sister is helping my dying mother. It is in the back of the property right now. I have pictures that I took. We took down the shed. It has been cleaned up and moved. It's on her property. It never was in the right of way.

Commissioner L. Jones asked to look at new pictures from Dorthea Sutor. I was not very impressed with the last meeting. My sister was not treated right, and I met with the mayor about this. The city did not tell me about the rules and regulations I had to obey. The information I finally got on this was not very helpful. I see others doing this all over Union as it is. My mother is 84 with severe dementia. We are getting rid of the vehicles because I don't want her to drive. I cleaned it up and moved it back. I am not hooking up to sewer and water. We already use your utility as it is. I am trying to be very honest. I know other people are living out of trailers and you are fighting a battle. I just want my mom to be safe and

comfortable. My sister needs to be there for her at night. I went around and took 53 pictures of trailers and talked to the ordinance officer.

Dorthea Sutor said I will not put my mom in a nursing home. She will remain here in Union.

Commissioner J. Jones asked for clarification on the situation. Commissioners and the applicant discussed the situation and clarified setbacks from the main dwelling. It is 9 feet away from the main dwelling.

CA Wiggins said I have had no complaints about this. You can get away with 5 feet with this because this is a mobile structure.

Commissioner Hall said they have done everything they can to this lot.

CA Wiggins said this is a very small lot. We allow 5 feet on mobile structures. I do feel safer knowing no propane is being used. The water and sewer can be removed because this is just a bedroom.

Regina Warren said I don't run a heater or cook in there.

There was not any further testimony.

The public hearing closed at 7:22 p.m.

After Commissioner deliberation, Commissioner J. Jones motioned to approve the permit for one year, all electrical hook up meets code, off street parking is maintained, the RV must stay where it is to maintain the setback, and no propane can be hooked to the RV. Commissioner Baird second. Motion passed with three yes votes and Commissioner Williams abstaining.

The next public hearing is for a variance 23-01.

The public hearing opened at 7:29 p.m.

No conflict of interest or bias was stated by Commissioners.

On the staff report, CA Wiggins said we got an application on a variance to encroach by 1 foot on a garage. The setback would be 4 feet instead of 5 feet. He is located on 10th Street. He is near the baseball fields. It is R1 and is next to the school property. He did provide a diagram for you.

On applicant testimony, Jay Blackburn 599 S. 10th Street said this is the best option and location for us. It is a permitted structure. Thank you for letting me come tonight.

There was not any further testimony.

The public hearing closed at 7:38 p.m.

After Commissioner deliberation, Commissioner J. Jones motioned to approve the variance. Commissioner Williams second. The motion passed with Commissioner Hall voting no.

The last item under new business was to nominate a chairman and vice chairman. After a short discussion Commissioner L. Jones was elected Chairwoman and Commissioner J. Jones was elected for Vice Chair.

There was not any public comment.

On upcoming meetings, CA Wiggins said a minor partition is coming next month. He explained the situation and discussed it with Commissioners. There might be another conditional use permit coming later.

Commissioner Hall asked about reducing lot size. CA Wiggins answered our lot size is 7,500 square feet. I would like to get our planning code updated as well. It will take a while to get it all updated. We will probably have to address tiny homes very soon and lot sizes and allowing second homes on properties.

Commissioner Hall said I would like to see more storm drains. CA Wiggins said it will cost the city money and could cause more taxes and fees on the citizens. We don't have a storm drain system; it will be very expensive to put one in. You cannot just drain it into a creek, it will more than likely have to drain into the wastewater plant and our plant cannot handle a big downpour currently. I am waiting on DLCD for grant money to get this completed.

This meeting adjourned at 8:02 p.m.

Approved: _____
Chairwoman, Lani Jones

Attest: _____
City Administrator/Recorder, Doug Wiggins

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REPORT TO CITY OF UNION PLANNING COMMISSION

Prepared for the Public Hearing on May 17, 2023

Prepared By: Doug Wiggins, Administrator

Ref: Steve Johnston – Application for Minor Partition
Application #MNP 23-01

Location: Tax Lot 100, Map 04S 40E 18BC
1598 N. College, Union, Oregon.

Site Area: ~2.85± Acres

BACKGROUND

The City of Union received an application from Steve Johnston for minor partition on April 4, 2023 and the application was determined to be complete. A public hearing before the Planning Commission was set for May 17, 2023. This current owner originally applied for a partition in December of 2013. The Planning Commission heard the partition in February of 2014 and approved. Unfortunately, the final plat was never recorded, within the one-year time frame, and therefore the partition was not created and by Ordinance must be reapplied. Johnston then applied for the same partition and the commission denied the partition in September of 2018. The planning commission felt the property would place too much congestion on such a narrow road. Johnston applied a third time and once again was denied in August of 2019 due to the same reason stated in September of 2018 and there being no current plan from the city to widen the road in the area. In all applications stated above, Johnston was trying to create a total of three lots. This application from Johnston is now only asking to split his lot into two.

PROPOSAL DESCRIPTION

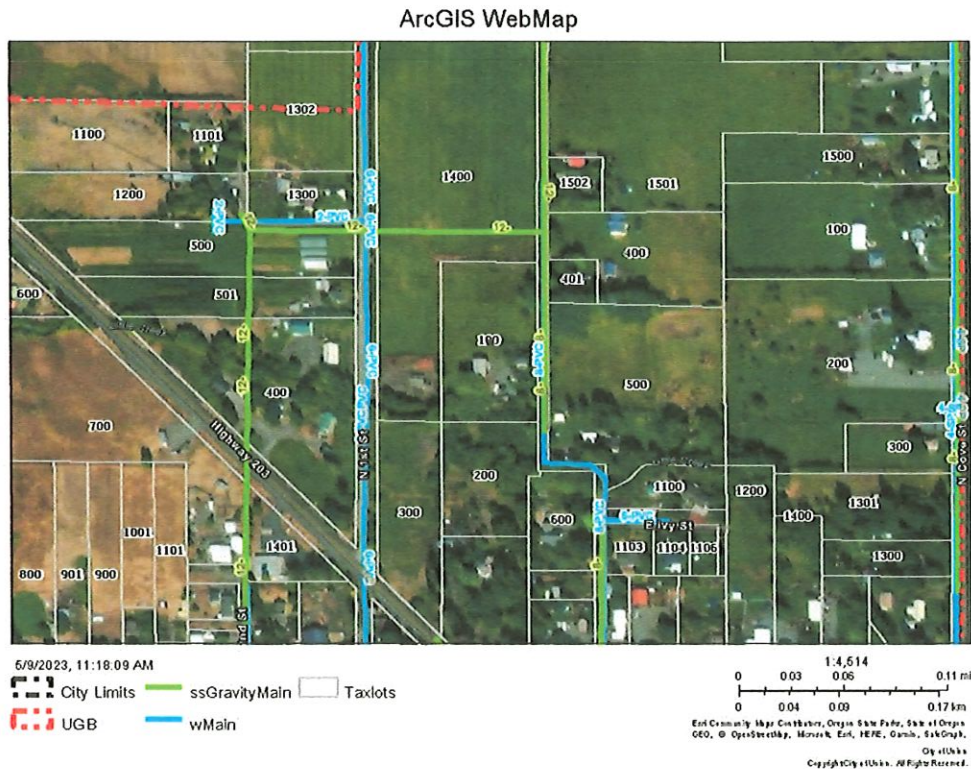
The application proposes to create two parcels, the first parcel to contain his home at approximately 275 feet by 297 feet (81,125 sqft or 1.86 acres), the second lot is proposed to be at 281 feet by 165 feet (46,365 sqft or 1.06 acres). The first lot includes the homeowner's home and outbuildings while the second lot would be an unimproved vacant lot.

SITE AND VICINITY DESCRIPTION

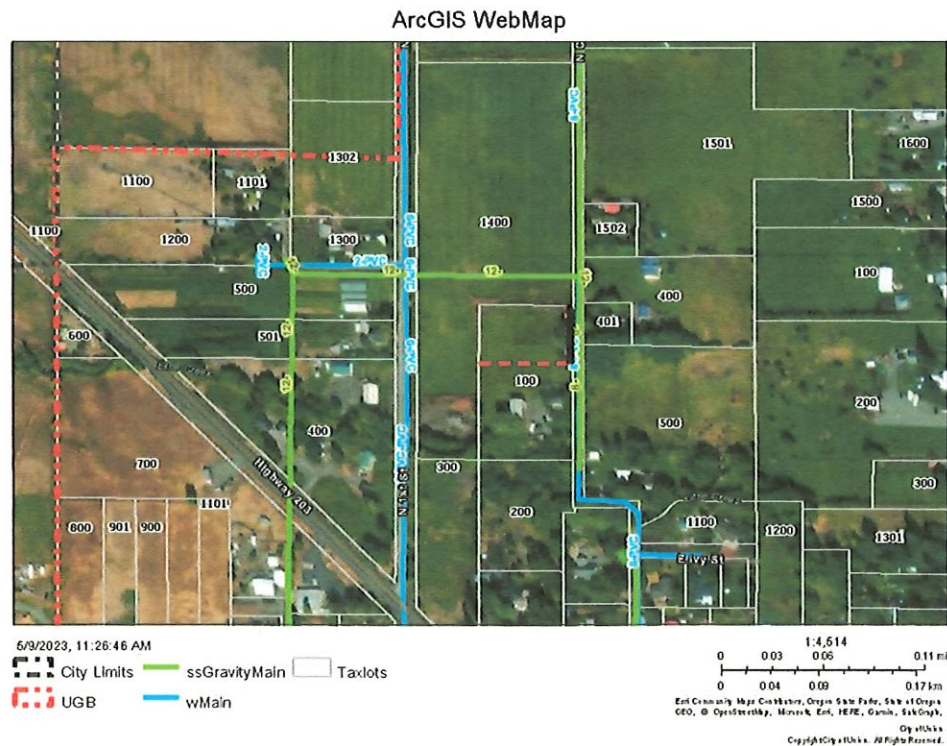
The proposed minor partition site is located on North College Street. This area of North College Street is only 30 feet wide. City of Union Street standards are 60 feet, although we do have a few streets at 40 feet. Many of the homes on the street are relatively close to the road, within approximately 30 feet. The street is gravel and minimally maintained by the city. Water and sewer utilities are available in the street and the property is zoned "Residential" ("R-1"). Water pressure was recently improved when the College Street loop was installed.

City of Union, Oregon

ARCGIS Over View of the property location of Lot 100:

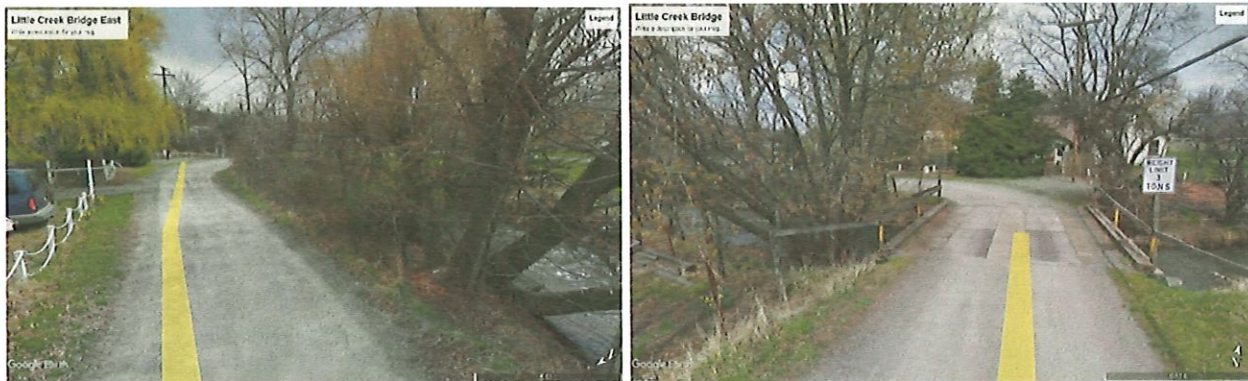


ARCGIS Overview with proposed area to partitioned:



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Most of the homes along this road and surrounding neighborhood are mid to small-sized hobby farms. Little Creek is located south of the property. The property can be accessed from two directions, first is to turn off Bryan Street onto N. College Street and then proceed over the Little Creek and N. College bridge. The second access would be off Main Street/HWY 203 onto N. First Street then turn onto Willowdale, then turn onto N. College. The Little Creek bridge on N. College Street is in poor shape and has been scoped for replacement by ODOT. If the funding level fits their budget, this bridge could be replaced by 2027/2028-time frame. This will bring some much-needed improvements to both the bridge and to the road itself as it will widen considerably thus reducing congestion on the bridge. However, in its present capacity, the Little Creek bridge is inadequate for heavy traffic loads and at the current time lends itself to a significant safety hazard given the heavy brush and blind corner as you head north on N. College Street.



APPLICABLE CRITERIA AND STANDARDS

City of Union codified codes:

Title XV (Land Use), Chapter 152 (Partitions and Subdivisions), Chapter 155 (Zoning):

*** Additional provisions of the Zoning Ordinance or Comprehensive Plan may apply to this proposal and may be identified in testimony received by the Planning Commission. If this occurs, appropriate findings should be included with the Final Order.*

SUGGESTED FINDINGS OF FACT FOR THE CONDITIONAL USE PERMIT

The Planning Commission may use the following findings which are relevant to justify approval or denial of the application for a minor partition plus add additional findings as brought out through testimony presented at the public hearing. Each of the below findings will tend to support or deny the application.

City of Union, Oregon

FINDINGS

1. The minimum lot size for new lots and parcels in the R-1 zone shall be 7,500 square feet. The creation of these two lots well exceeds that standard.
2. Utility services are in and along College Street and are capable of handling additional residential services.
3. The minimum lot frontage shall be 60 feet, both proposed lots exceed this requirement.
4. There shall not be more than one dwelling and its accessory buildings constructed on one lot. The new lot created is vacant.
5. Mailed notice was provided to all residences located within 300 feet of the original lot's boundaries on or around April 30, 2023.
6. Public notice was placed as normal for public meetings around the City of Union.
7. The City of Union standard street width is 60 feet wide, current width of N. College Street is 30 feet. The property owner would be giving an additional 16-foot right of way to City of Union for a total right of way to the City being 46 feet for future street improvements. The city has no immediate plans to make these improvements until the whole road can be widened, improved and money available to do so.
8. It is required to review potential future development of the area for street and transportation challenges. N. College Street is a narrow street and will need significant improvements should the area ever develop to meet minimum city standards.
9. Current road conditions do not meet the standards of the current Transportation System Plan. N. College was identified in the Transportation Master Plan as a street to be widened at some point in time.
10. The proposed minor partition is in accordance with the area land use plan and zoning requirements. It does not materially alter the stability of the overall land use pattern of the area, nor initiate or encourage a pattern of development incompatible with existing area uses.
11. This minor partition, if developed with a residential home, could affect the economic and social conditions and other characteristics which makes this section of town desirable in which to live.
 - a. This area tends to be laden with homes that are most known to be small hobby farms or ranches. This proposed parcel would fit the State of Oregon's definition

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of a small hobby farm. Only two other lots in the immediate area can be found to be smaller than the proposed lot.

- b. The area is spacious with wide open spacing between neighbors.
- 12. Property does not border an Oregon State Highway so that jurisdiction requires no notification.
- 13. There are no historic sites or structures on the property.
- 14. The current irrigation ditch on the property would impede the proposed additional 16-foot easement for road improvements. The City would require the ditch to be moved from its newly granted easement and the property owner would have to insure it complies with providing the irrigation it delivers to its neighbors without interference to the City of Union easement for roadway.
- 15. An additional residential home on College Street will lead to additional traffic. Emergency vehicles already have a difficult time traveling on this narrow road.
- 16. College Street should be widened as identified in the Transportation System Plan update of 2015. No immediate plans exist for the city with exception to the N. College Street and Little Creek bridge in 2027/2028-time frame.
- 17. The school district appears to have no adverse impact from the partition and can accommodate additional students to the school system.
- 18. No future form of intended development beyond residential and pasture is indicated on the application.
- 19. No information has been provided about access, other than what can be inferred from the preliminary plat drawing.
- 20. A certificate from the ditch company either abandoning water rights to the property or proportionately servicing the property will be needed before any final plat can be signed.

COMMENTS RECEIVED:

To date the City of Union has received one response on the proposed partition. This response was received from Willard Bertrand by phone. Mr. Bertrand, neighbor across the street was indifferent on the proposal, but did not oppose it.

STAFF SUGGESTED CONDITIONS:

If the Planning commission passes the application, then the following conditions should be discussed and potentially applied:

1. It has been determined additional easements will be needed to create a wider road for future access and widening of N. College Street to improve livability and transportation.
2. The new parcel shall grant the City a minimum 31 foot of easement for future road improvements and widening. The home lot cannot support the additional 16-foot easement given the placement of the current home and thus would need to yield a 15 - foot easement.
3. The owner shall be responsible for moving the irrigation ditch, so it does not interfere with the requested road easement and ensure it complies with ditch company's requirements.
4. The final plat must comply with the standards and criteria set forth in Ordinance 418 Sections VII and VIII.
5. If approved by the Planning Commission, the Applicant will have one year to submit his final plat for signing by the Mayor. After signing by the Mayor, the applicant will have 90 days in which to have the plat recorded. *(Failure to follow through on final plat requirements will make all decisions of the Planning Commission for this property null and void.)*

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Tuesday, April 25, 2023

NOTICE OF PROPOSED LAND USE ACTION PUBLIC HEARING

Dear Property Owner:

You are receiving this letter because the boundary of your property is located within 300 feet of a parcel of land being considered for the following proposed land use action.

<i>Applicant:</i>	<i>Steve & Jamie Johnston</i>
<i>Land Use Application:</i>	<i>Minor Partition (MNP - 23-01) – See attachment.</i>
<i>Property Description:</i>	<i>Union County Assessor's Map 04S4018BC, Tax Lot 100; otherwise, 1598 N. College Street, Union, Oregon 97883.</i>

The hearing to consider the application will be held on **May 17, 2023 at 7:00 p.m.** in the Leonard Almquist Council Chambers, Union City Hall, 342 S. Main Street, Union, Oregon.

Applicable criteria for the Planning Commission's decision can be found within the following:

City Ordinance Codified Code:	Chapter 152 (Partitions and Subdivisions)
(www.cityofunion.com)	Chapter 155 (Notices, Use Zones)

A copy of the application and provided supporting material from the applicant are available for inspection at no cost during City Hall business hours. The staff report will be available for inspection at no cost at City Hall one week prior to the hearing date. Copies of all materials will be available at cost.

Testimony for/against the proposed land use action may be presented orally at the hearing, or by written statement presented to City Hall by the hearing date. Testimony and evidence must be directed toward the criteria above or other criteria in the Zoning Ordinance and/or Land Use Plan that you believe to be appropriate. Failure to raise an issue with enough specificity to afford the Planning Commission and the parties an opportunity to respond will preclude appeal of any resulting land use decision to the Land Use Board of Appeals.

If you have questions or need more information, please contact City Administrator, Doug Wiggins, at City Hall 541-562-5197, or fax 541-562-5196 or email admin@cityofunion.com.

If you have a disability requiring any special materials, services, or assistance, please contact the City Office Manager at City Hall 541-562-5197 at least 48 hours before the hearing.

Sincerely,

Doug Wiggins
City Administrator

City of Union, Oregon



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CITY OF UNION PLANNING APPLICATION

Application #: 23-01
Received By: Krista

Date Submitted: 4-4-2023
Date of Notification: 4-28-2023
Date of 1st Hearing: 5-17-2023
Date Completed: _____

APPLICATION TYPE (Check one):

☐ Conditional Use Permit	☒ Minor Partition	☐ Street/Alley Vacate	☐ Zone Text Amendment
☐ Flood Zone Permit	☐ Plan Amendment	☐ Variance	☐ Site Plan Review
☐ Historic Design Review	☐ Property Line Adjustment	☐ Zone Change	☐ Major Partition

Other: _____

Fee Amount: \$ 300.00

Applicant: Steve Johnston
Address: 1598 N. College St.
City: Union State: OR Zip: 97883 Phone: 541-786-8014

Property Owner (if Different): _____

Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

DEVELOPMENT REQUEST

Proposed Land Use (be specific): minor partition of my property

PROPERTY INFORMATION

- Physical Site Address: 1598 N. College
- Map: 04540 E 18 BC Tax Lot: 100 Lot Size: 440' x 297'
- Has property been surveyed? ☒ Yes ☐ No Inside urban growth boundary? ☒ Yes ☐ No
- Current zone classification? UN-2 Existing Structures: _____
- Existing Easements: Roadway - Little creek - Power -
- Overlay Zones: Flood Zone? ☐ Yes ☒ No Historic District? ☐ Yes ☒ No
- Major Topographical features (stream, ditch, slope, etc.): stream south west corner

STATEMENT OF UNDERSTANDING

I understand that I have the burden to prove my request meets all applicable ordinance requirements and that I must address all criteria that may apply. The criteria for approving or denying my request has been furnished to me as part of this application. I understand supplemental materials and information may be required by City of Union staff to complete the application.

I certify the above information to be true and correct and that I am the property owner, or authorized representative for the property owner. I understand that my application may be denied or delayed if incomplete or found to be falsified.

APPLICANT SIGNATURE: Steve Johnston

DATE: 4/3/23