



## STAFF REPORT

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<b>DATE:</b>	<b>December 30, 2024</b>
<b>NATURE OF APPLICATION:</b>	Petition for Condition Use of non-conforming Property to allow residential use
<b>APPLICABLE CRITERIA:</b>	<b>Monroe Land Use Code Sections 2.320, 2.328, 4.111, and Oregon Land Use Goals</b>
<b>STAFF CONTACT:</b>	Steve Martinenko, City Administrator/Planner
<b>FILE NUMBER:</b>	PC2025-1

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### NATURE OF THE PROCEEDING

This report is to review and evaluate a proposal to allow residential use on new partition that is currently zoned commercial (C). The property located near 415 Fir Street at tax lot 14528DB03900. The applicant seeks approval of a conditional use permit to allow a manufactured home to be placed on the lot, citing Monroe Land Use Code and Oregon's statewide land use goals for affordable housing.

### COMMENTS

Public comments have been solicited for the proposed conditional use permit, with notices distributed to surrounding property owners in accordance with the Monroe Land Use Code. No objections or additional concerns have been received at the time of this report.

### BACKGROUND

The subject property is currently zoned commercial (C) and is located within the urban growth boundary of Monroe. The applicant has been approved for a lot line adjustment that increased the lot size of a formally vacated street parcel to the minimums for GRB zoning. The request is to allow residential use of the subject lot. The adjacent lot has an existing residence and has historically been residential use. Access for the lot will be via Fir Street. The applicant has confirmed that necessary utility infrastructure, including water, sewer, and drainage will be provided and has complied with City direction to re-route the sewer so it would not be under any existing or proposed structure.

The proposed conditional use permit aligns with the City's Comprehensive Plan, which emphasizes responsible and efficient land use within urban boundaries to promote both residential and economic growth, specifically for affordable housing

The Planning Commission reviewed the conditional use proposal at several public meetings, the last at their December 2, 2024 Planning Commission meeting. The Planning Commission noted no objections with considering the proposed non-conforming use.

## **DECISION CRITERIA/FINDING OF FACT**

The partition application is evaluated based on the Monroe Land Use Code, the City's comprehensive Plan, and relevant Oregon Statewide Planning Goals.

### **1. Goal 1: Citizen Involvement**

- Public participation has been integral to the process, with notices sent to surrounding properties and an opportunity for public input. There have been no public objections at the time of this report.

### **2. Goal 2: Land Use Planning**

- The proposed conditional use permit meets the goals in Monroe's Comprehensive Plan for housing. While it is zoned commercial, the historic use of the property has been residential and meets the requirements for affordable housing.

### **3. Goal 5: Natural Resources, Scenic, and Historic Areas, and Open Spaces**

- The partition does not impact any identified natural or cultural resources on the property. No wetlands, floodplains, or other protected areas have been identified on the subject site. Mitigation measures for any future development will be required during the building permit process.

### **4. Goal 6: Air, Water, and Land Resources Quality**

- The proposed partition is consistent with regulations for maintaining air and water quality. The applicant will be required to submit a stormwater management plan that complies with city and state standards.

### **5. Goal 7: Areas Subject to Natural Hazards**

- This area has a natural drainage ditch and Monroe Land Use code requires a 20-foot setback from this waterway. There have been historical reports of flooding but no other areas subject to natural hazards such as landslides have been identified on the property. The applicant will ensure proper grading and drainage systems are in place as required by the Monroe Land Use Code.

### **6. Goal 10: Housing**

- The partition will contribute to Monroe's housing stock by creating new residential lots. This will help meet the growing demand for housing within the urban growth boundary, particularly for single-family or multi-family homes.

## **7. Goal 11: Public Facilities and Services**

- The applicant has demonstrated that the new parcel will be adequately served by public infrastructure, including water, sewer, and transportation systems. Any new road or access points will comply with city standards.

## **8. Goal 12: Transportation**

- The proposed partition will not result in significant traffic congestion. The new lots will have access to existing streets.

## **9. Goal 14: Urbanization**

- The partition complies with the principles of urbanization within Monroe's growth boundary. It makes efficient use of available land for development and supports the city's goals for infill and responsible growth.

## **Conditions of Approval for Residential Use on the Partition**

### **1. Compliance with Zoning Requirements:**

- The partition must comply with the applicable zoning district standards, including minimum lot sizes, setbacks, and allowed uses for each lot, as per Section 4.111 of the Monroe Land Use Code (Monroe Land Code (2009)).

### **2. Survey and Monumentation:**

- A certified copy of the partition to be used for residential purposes must be attached in accordance with Section 2.335 of the Monroe Land Use Code. All property lines must be monumented in compliance with the requirements of ORS 92 and Benton County Surveyor standards (Monroe Land Code (2009)).

### **3. Road and Access Improvements:**

- A waiver of remonstrance for developing the applicant's portion of Fir Street (street, sidewalk, curb, gutter) when the City has declared its intent to complete Fir Street to City standards, must be provided as a condition of approval for the conditional use. All new streets must meet the City's design standards, including pavement width, curb and gutter requirements, and any necessary stormwater drainage improvements (Monroe Land Code (2009)).

### **4. Utility Infrastructure:**

- Each new lot must be adequately served by water, sewer, and stormwater management systems. The applicant must submit plans for utility connections,

including water and sewer lines, that comply with Monroe's Public Works Standards (Monroe Land Code (2009)).

**5. Stormwater Management Plan:**

- A stormwater management plan must be submitted and approved by the City prior to final plat approval, as required by Section 5.126 of the Monroe Land Use Code. This plan must address drainage from the proposed residence and ensure compliance with both City and State water quality standards (Monroe Land Code (2009)).

**6. Drainage Way Protection:**

- For drainage ways, floodplains, or wetlands that are present on or adjacent to the partitioned property, the applicant must submit a plan for their protection and mitigation. No development or grading should occur within designated floodplain areas unless required mitigation measures are implemented (Monroe Land Code (2009)).

**7. Landscaping and Fencing:**

- The applicant shall provide landscaping and fencing along property lines, as needed, to minimize visual impacts and provide privacy for adjacent properties, particularly for residential uses. Landscaping should be consistent with the City's development standards (Monroe Land Code (2009)).

**8. Erosion Control:**

- Erosion control measures must be implemented during construction activities to prevent runoff and soil erosion, in accordance with Section 5.126 of the Monroe Land Use Code (Monroe Land Code (2009)).

**9. Time Frame for Completion:**

- Construction and/or placement of the residential structure must be completed within one year of the conditional use approval. If substantial construction has not commenced within this time, the approval will expire.

**10. Future Modifications or Variances:**

- Any future modifications to the partition or requests for variances from these conditions must be reviewed and approved by the Monroe Planning Commission, with proper notice and opportunity for public comment (Monroe Land Code (2009)).

## **11. Compliance with State and Federal Regulations:**

- The applicant must ensure compliance with all applicable state and federal regulations, including but not limited to those related to environmental protection, utilities, and building codes (Monroe Land Code (2009)).

### **CONCLUSION**

The proposed Conditional Use Permit meets the relevant criteria of the Monroe Land Use Code and Oregon Statewide Planning Goals. Other than the non-conforming use, the applicant's proposal is consistent with the City's Comprehensive Plan and will support the responsible growth and development of Monroe's urban area. As noted, the adjacent property has a residence and approval of the partition will provide additional housing opportunities and contribute to the City's overall development objectives

### **RECOMMENDED MOTION**

***"I move to adopt the findings outlined in the staff report (or as modified by the Planning Commission) and approve the Conditional Use as requested by the applicant."***