CITY OF FLORENCE
PLANNING COMMISSION

RESOLUTION PC 16 26 CUP 08

A REQUEST FOR A CONDITIONAL USE PERMIT AND DESIGN REVIEW FOR A NEW 128' CELL TOWER EAST OF HIGHWAY 101, WEST OF SPRUCE ST. AND NORTH OF MUNSEL LAKE ROAD.

WHEREAS, application was made by Sean Maddox of Lexcom Dev. representing Verizon Wireless for a Conditional Use Permit with Design Review Permit as required by FCC 10-1-1-4, FCC 10-4-4, and FCC 10-6-6; and

WHEREAS, the Planning Commission/Design Review Board met in a public hearing on December 13, 2016 as outlined in Florence City Code 10-1-1-5, to consider the application, evidence in the record, and testimony received, and

WHEREAS, the Planning Commission/Design Review Board determined per FCC 10-4-10 and FCC 10-6-7, after review of the application, testimony and evidence in the record, that the application meets the criteria through compliance with certain Conditions of Approval; and

WHEREAS, the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact, staff recommendation and evidence and testimony presented to them, that the application meets the applicable criteria.

NOW THEREFORE BE IT RESOLVED that the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact and the evidence in record that:

The request for a Conditional Use Permit and Design Review for a new 128' cell tower east of Highway 101, west of Spruce St. and north of Munsel Lake Road. meets the criteria of the Florence City Code and Florence Comprehensive Plan, with the following conditions of approval:

Conditions of Approval:

The application, as presented, meets or can meet applicable City codes and requirements, provided that the following conditions of approval are met.

1. Approval for shall be shown on:

   "A" Findings of Fact
   "B1-4" Site Plans, antenna Array, & Elevations
   "C" Land Use Application

"D" Statement of Consistency
"E" Site Survey
"F" FAA Application
"G" NIER

Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use, except those changes relating to Building Codes, will require approval by the Community Development Director or Planning Commission/Design Review Board.

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval prior to issuance of a building permit.

3. Parking

3.1. The site plan shall be modified to include paving the first 50' of the driveway apron from the highway. The designated parking area shall also be paved. The turnaround area and other travel lanes may be gravel.

3.2. The parking area will be required to treat run-off via an on-site stormwater system rather than directing it to a storm sewer system to be conveyed off-site. A stormwater treatment plan shall be submitted for review and approval in accordance with Title 9 Chapter 4 in conjunction with Building permit application.

3.3. If parking is designated within the turn-around then screening will be required along the eastern edge of the turnaround to screen headlights from shining onto adjacent residential district.

3.4. The applicant shall provide a revised parking plan with the building permit that illustrates the parking stall design and dimensional requirements of FCC 10-3-9.

4. Conditional Use Permit/Design Review

4.1. The applicant proposes a gravel yard and likely drive. The gravel areas must be maintained to be dust free through non-petroleum oil application or other methods.

4.2. This conditional use permit will be valid until one year from the date of approval unless a building permit has been issued or significant construction has taken place..

4.3. The applicant shall complete a Phase 1 Site Investigation report in conjunction with or prior to building permit submittal.

4.4 Chain link slat color shall meet the color requirements for buildings.

4.5 The approval for Design Review of the proposed facility shall expire on December 13, 2017.

5. Landscaping

5.1. The applicant shall ensure all noxious weeds are removed from the site prior to issuance of final building permit.

5.2. All disturbed areas shall be covered with bark, aggregate or other ground cover

5.3. The stormwater management facility shall meet the requirements of Title 9 Chapter 4 and Title 10 Chapter 34.

5.4. The vegetation for the parking stormwater treatment area shall have a plan for temporary irrigation submitted with the required stormwater plan.

5.5. The applicant shall ensure the buffering and screening code of FCC 10-34-3-7 are met.

5.6. The applicant shall hard-surface all areas of the proposed parking lots and proposed paved storage areas within five years of Certificate of Occupancy.

5.7. The applicant shall maintain the buffering plants and replace any failed plantings with an equivalent specimen within six months of their dying or removal..

5.8. The proposed fencing and planted screening shall comply with the vision clearance standards of FCC 10-35-2-14.

6. Access

6.1. The new driveway shall be engineered and built to withstand up to 53,000 pounds unless Siuslaw Valley Fire and Rescue signs off on a lesser standard. The driveway shall be signed with no parking signs as it is a fire apparatus lane.

6.2. The driveway apron at Highway 101 shall be improved to ODOT or city standards as required to include the earlier requirement for 50' of pavement length. This shall require coordination with ODOT or the City on the design.

6.3. The applicant shall maintain the vision clearance area free of visual obstructions from 2' 6" to 8' in height.

6.4. The applicant shall either meet the requirements of providing sidewalks or obtain an exception from the Public Works Director.

7. Lighting

7.1. The applicant shall submit additional lighting information meeting FCC 10-37-4 to be

evaluated and approved by the Planning Department prior to issuance of Certificate of Occupancy.

7.2. The applicant shall ensure that lighting fixtures do not project light onto adjacent or nearby property.

7.3. The applicant shall add lighting fixtures or reposition proposed fixtures to provide at least two foot-candles of illumination for the parking space.

8. Telecommunications

8.1. To deter vandalism and prevent tampering with the generator it shall be secured in a manner acceptable to the Fire Marshall.

8.2. The northern side of the equipment storage area not having gates shall meet the 5' deep landscape criterion in FCC 10-33-4-E-5-a.

8.3. All at-grade equipment to include the generator shall be enclosed within equipment shelters and/or cabinets meeting the requirements of FCC 10-33-4-E-5-c.

8.4. The applicant shall receive FAA approval prior to issuance of building permits.

8.5. The fall zone for the tower shall be provided no later than in conjunction with building permit submittal and shall meet FCC 10-33-4-E-8.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 13th day of December, 2016.

JE Murphey 12-14-16

JOHN MURPHEY, Vice Chair DATE
Florence Planning Commission