

CITY OF FLORENCE PLANNING COMMISSION / DESIGN REVIEW BOARD  
CITY HALL COUNCIL CHAMBERS  
250 Highway 101, Florence OR 97439

---

**December 13, 2011**

**AGENDA**

**7:00 pm**

	Jan Nieberlein, Chairperson	
Mark Tilton, Vice Chairperson	Cheryl Hoile, Commissioner	Robert Bare, Commissioner
Bob Peters, Commissioner	Curt Muilenburg, Commissioner	Joseph Wise, Commissioner

---

**~ CALL TO ORDER ~ ROLL CALL ~ PLEDGE OF ALLEGIANCE ~**

**1. APPROVAL OF AGENDA**

**2. PUBLIC COMMENTS**

*This is an opportunity for members of the audience to bring to the Planning Commission's attention any items **NOT** otherwise listed on the agenda. Comments will be limited to **3 minutes per person**, with a maximum time of 15 minutes for all items.*

**3. PLANNING COMMISSION DISCUSSION ITEMS**

- \* Identification of code amendments to fix current problems with Title 10
- \* Comments on Fire District's application for Adjustment to Sign Code

**4. DIRECTOR'S REPORT**

- \* Monthly Report

**5. CALENDAR**

- \* Tuesday, December 27 - Cancelled
- \* Tuesday, January 10 – Joint Meeting with Siuslaw Estuary Partnership Community Stakeholders
- \* Tuesday, January 24 – Regular Meeting (tentative)
- \* Tuesday, February 14 – Regular Meeting (tentative)
- \* Thursday, February 16, 6:00 pm – Volunteer Appreciation at Florence Event Center

P:\Community Development 2\Planning Commission\Agendas\2011 Agenda Packets\12-13-11\12-13-11 PC  
Agenda.doc

The meeting location is wheelchair accessible.  
Anyone requiring special accommodations, please call (541) 997-8237 at least 48 hours prior to the hearing.

## MEMORANDUM

TO: Florence Planning Commission

FROM: Sandra Belson, Community Development Director

DATE: December 6, 2011

RE: Potential Code Fixes to Title 10

---

As we discussed last month, on December 19, the City Council is going to initiate some code amendments to exempt residential and commercial solar photovoltaic and solar thermal energy systems from land use restrictions as required by House Bill 3516. We have the opportunity to suggest Council consider other miscellaneous code amendments as part of the package. The Planning Commission's meeting on December 13 is mainly dedicated to identify other types of code "fixes" that could easily be made to Title 10 of the Florence City Code.

Commissioner Wise has provided suggested changes to three Chapters: 6 – Design Review, 8 – Non-Conforming Lots and Uses, and 23 – Planned Unit Development. If others of you have an idea of edits you'd like the Commission to consider, you could e-mail those to the Commission and myself. However, you should refrain for "discussing" any of these proposals via e-mail.

1     **TITLE 10 CHAPTER 6 DESIGN REVIEW**

2     **10-6-3: GENERAL APPLICABILITY:**

3     A. The Design Review Board shall, in exercising or performing its duties or functions,  
4     determine whether the proposed development (~~other than single-family and duplex~~  
5     ~~residences if allowed as a permitted use~~) is appropriate to the character of the  
6     neighborhood, according to the general criteria listed in Section 10-6-5. The Design Review  
7     Board shall provide this monitoring in the Multiple- Family Residential, Neighborhood  
8     Commercial, Commercial, Highway, Waterfront, Marine, and Open Space Districts for all  
9     signs, new construction, alterations to the exterior of structures or additions involving  
10    twenty five percent (25%) or more of the floor area of a building, prior to the issuance of a  
11    building permit. In addition, all conditional use permits granted by the Planning  
12    Commission and any expansion of a pre-existing, nonconforming use requires approval by  
13    the Design Review Board. Permitted land uses in the Limited Industrial and Pacific View  
14    Business Park Districts are exempt from Design Review requirements, but conditional uses  
15    in those districts require Design Review. The criteria of individual zoning districts shall  
16    prevail where the applicability of this chapter and individual zoning districts conflict.

17  
18    P:\Community Development 2\Planning Commission\Agendas\2011 Agenda Packets\12-13-11\Wise  
19    chapter 6 design review.doc

1 **Why are we proposing this change?**

2  
3 To:

- 4 clarify a land owner's options when a nonconforming structure has been completely  
5 removed;  
6 prevent a land owner from creating a replacement (nonconforming) structure under  
7 the guise of restoration;  
8 prevent what has become a vacant lot from gaining treatment under this title.  
9

10 TITLE 10

11 CHAPTER 8

12 **NONCONFORMING LOTS AND USES**

13 SECTION:

- 14 10-8-1: Purpose  
15 10-8-2: Expansion of Pre-Existing, Nonconforming Use  
16 10-8-3: Undersized Lots of Record  
17 10-8-4: Destruction of Nonconforming Buildings  
18 10-8-5: Abandonment of Nonconforming Use  
19 10-8-6: Change of Nonconforming Uses  
20 10-8-7: Removal of Nonconforming Uses  
21 10-8-8: Repairs and Maintenance  
22 [10-8-9: Definitions](#)

23 **10-8-1: PURPOSE:** There were lots, structures and uses that were lawful before the  
24 effective date hereof, or amendment hereto, but which have become ~~either~~ prohibited,  
25 regulated or restricted under the new terms and conditions of this Title. They shall  
26 hereafter be referred to as pre-existing, nonconforming uses or buildings.

27 It is recognized that significant expenditures of personal and financial energy may have  
28 been invested in the development of such uses and structures and that to dismiss these  
29 expenditures as no longer relevant would be harmful to the public welfare, both in regards  
30 to the community harmony and with respect to support that will be needed to improve the  
31 quality, esthetics and functional aspects of the community.

32 It is therefore the intent of this Chapter to allow these structures and uses that existed  
33 prior to the effective date hereof to continue, including normal maintenance, repair or  
34 ~~replacement~~ [restoration](#) in case of damage due to fire or other disaster.

35 **10-8-2: EXPANSION OF PRE-EXISTING, NONCONFORMING USE:** A pre- existing  
36 nonconforming use may make a normal expansion of the existing structure for the same  
37 use up to twenty five percent (25%) of the existing square footage of floor area.  
38 Expansions larger than twenty five percent (25%) require a conditional use permit issued

by the Planning Commission under the terms and conditions of Chapter 4 of this Title. Any expansion of a pre-existing, nonconforming use shall be subject to design review under the provisions of Chapter 6 of this Title. Expansion of a pre-existing nonconforming use, concurrent with the restoration of such a structure, shall be treated as separate elements of a conditional use permit. The Planning Commission may approve either, both or none of these elements.

**10-8-3: UNDERSIZED LOTS OF RECORD:**

A. Any lot having an area or dimension less than the minimum shall be designated a building site, provided the following criteria are met:

1. The lot is shown on an officially approved and recorded subdivision map.
2. A deed or a valid contract of sale is recorded with the Lane County Clerk.
3. The lot was of legal area and dimension for a building site at the time the sale was recorded.

B. No lot or combination of contiguous lots, either vacant or containing a single-family or multiple-family dwelling, shall be replatted so that an undersized lot is created, nor shall a lot be replatted if setbacks or dimensions less than the minimum would result.

**10-8-4: DESTRUCTION OF NONCONFORMING BUILDINGS:** In the event of damage or destruction, a nonconforming building or structure may be restored in accordance with the Uniform Building Code and use which existed at the time of such damage or destruction may continue unless the Planning Commission determines that the continuation of the use would be detrimental to the health, safety or welfare of the community.

Restoration shall be commenced within six (6) months from the date of destruction and shall be diligently followed to completion. The Planning Commission, with a written request of the applicant, may extend the period an additional six (6) months.

**10-8-5: ABANDONMENT OF NONCONFORMING USE:** The discontinuance of a nonconforming use for any six (6) months out of any twelve (12) consecutive months shall constitute abandonment and the pre-existing use shall be deemed to have been terminated and every building, structure and use occupying the premises thereafter shall conform to the regulations of the zoning district in which is located.

**10-8-6: CHANGE OF NONCONFORMING USES:** A change from one nonconforming use to another nonconforming use requires a conditional use permit issued by the Planning Commission subject to the procedures and conditions in Chapter 4 of this Title.

**10-8-7: REMOVAL OF NONCONFORMING USES:** If, after holding public hearings, the Planning Commission determines that the continuance of a nonconforming use is detrimental to the health, safety or welfare of a neighborhood, the nonconforming use shall

1 be completely removed or converted to a conforming use within an amortization period  
2 prescribed by the City Council. The Planning Commission shall establish conditions for the  
3 operation of the nonconforming use during the amortization period (not less than 5 years  
4 nor more than 40 years, depending upon the impact the nonconforming use has on the  
5 surrounding neighborhood). The Planning Commission shall then grant a conditional use  
6 permit subject to the procedures set forth in Chapter 4 of this Title.

7 **10-8-8: REPAIRS AND MAINTENANCE:** Nothing in this Title shall be deemed to prevent  
8 the strengthening or restoring to a safe condition of any building or part thereof declared  
9 to be unsafe by any official charged with protecting the public safety. (Ord. 625, 6-30-80).

10 10-8-9: DEFINITIONS:

11 **RESTORE** To bring back to a former, original, or normal condition. Restoration implies  
12 the existence of a structure and may not be used to mean rebuild or reconstruct.

13  
14 P:\Community Development 2\Planning Commission\Agendas\2011 Agenda Packets\12-13-11\Wise  
15 Chapter 8 Non-Conforming Lots Uses.doc

1 **[Proposed revision to Title 10 Chapter 23 Planned Unit Development (PUD)]**

2 **Why are we proposing this change?**

3 This change will allow the Planning Commission to provide a total of three six-month time  
4 extensions for filing a final plan. The second and third six-month extensions are  
5 constrained to conditions that were not reasonably foreseeable and which would have had  
6 the same impact on other so-situated applicants. These changes are consistent with the  
7 Council's objectives:

8 *"WHEREAS, the City Council wishes to allow development projects that have already*  
9 *undergone extensive public process and received City approval, but may be slowed*  
10 *down or stalled due to difficult economic conditions, to have more time to be*  
11 *completed;"* – Ordinance 19, series 2009.

12 **Current wording:**

13 **10-23-11: APPROVAL OF THE FINAL DEVELOPMENT PLAN:**

14 1. Within six (6) months following the approval of the preliminary development plan or the  
15 expiration of any extension granted, the applicant shall file with the Planning Commission a  
16 final development plan containing in final form the information required in the preliminary  
17 plan. In its discretion and for a good cause, the Planning Commission may extend for six (6)  
18 months the period for the filing of the final development plan.

19 **Proposed wording:**

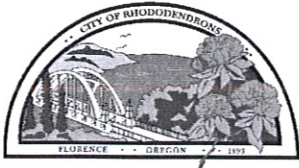
20 **10-23-11: APPROVAL OF THE FINAL DEVELOPMENT PLAN:**

21 1. Within six (6) months following the approval of the preliminary development plan or the  
22 expiration of any extension granted, the applicant shall file with the Planning Commission a  
23 final development plan containing in final form the information required in the preliminary  
24 plan. ~~In its discretion and for a good cause, the Planning Commission may extend for six (6)~~  
25 ~~months the period for the filing of the final development plan. It is within the discretion of~~  
26 ~~the Planning Commission to:~~

27 a. Extend for six (6) months the period for the filing of the final development plan; and

28 b. Repeat such six (6) month extensions to a total of eighteen (18) months. An extension  
29 beyond the initial six (6) months may be granted for conditions which in the judgment of  
30 the Planning Commission constitute extraordinary circumstances not reasonably  
31 foreseeable by the applicant. Unforeseen events, in and of themselves, do not necessarily  
32 constitute a reason for extension.

33 P:\Community Development 2\Planning Commission\Agendas\2011 Agenda Packets\12-13-11\Wise  
34 Chapter 23 Planned Unit Development.doc



# City of Florence

250 Highway 101  
Florence, OR 97439

[www.ci.florence.or.us](http://www.ci.florence.or.us)

phone: (541) 997-8327  
fax: (541) 997-4109

## Sign Adjustment Request

---

Contact person: John D. Buchanan, Fire Chief  
Phone: 541-997-3212  
Address: 2625 Highway 101 North, Florence, OR 97439  
Cell: 541-999-2067  
email address: chief@svfr.org  
Site Address: 2625 Highway 101 North, Florence, OR 97439  
Map and Tax lot #: 1812233202600



A. Adjustments to the numeric standards of this section shall be allowed only in compliance with this subsection. Adjustments may be requested to allow relocation of a sign, on the subject property, reducing the height of a sign, or enlarging the area of a sign. Adjustments allowing the use of prohibited signs, or allowing signage other than that specifically allowed by this code, are not permitted.

Please describe your sign and the adjustment you are asking from to the City Council:

*See attached*

According to FCC 4-7-29-B requires written responses to the following criteria:

1. Compliance with the applicable standard would create an unnecessary hardship due to physical conditions of the property (topography, lot size or shape, or other circumstances over which the applicant has no control), which are not present on other properties in the same vicinity or sign district, and the adjustment is necessary to permit signage comparable with other properties in the same sign district in the vicinity;

*See attached*

2. The hardship does not result from actions of the applicant, owner(s) or previous owner(s), or from personal circumstances of the applicant, owner(s) or previous owner(s), such as physical condition, age or financial situation; and

*See attached*

3. Approval of the adjustment will not adversely affect the function or appearance of the development and use of the subject property and surrounding properties; and will not impose



limitations on other properties and signage in the area including signage that would be allowed on adjacent properties.

*See attached*

—

FCC 4-7-29-C states,

"The City Council shall conduct a public hearing on the request for adjustment. The City Council shall approve, approve with conditions, or deny the adjustment, based upon the evidence at the hearing. The City Council may impose such conditions as are deemed necessary to mitigate any adverse impacts which may result from approving the adjustment. The hearing shall be conducted under the procedures used by the City Council for a quasi-judicial hearing.

D. The city recorder shall give written notice of the hearing by mail to owners of property located within one hundred feet of the lot containing the sign, using for this purpose names and addresses of owners as shown upon the latest assessment role of the county assessor. Failure of a person to receive the notice specified in this section shall not invalidate any proceeding in connection with the application for an adjustment.

E. The City Council shall issue its decision in writing explaining the reasons why the adjustment was approved or denied. The decision shall be mailed to the address of the applicant on the application by regular mail. The decision of the City Council shall be final."

Please return the completed form to the City Recorder, 250 Highway 101, Florence, OR 97439, 541.997.3436

# Siuslaw Valley Fire and Rescue

---

## Sign Adjustment Request Attachment

**Please describe your sign and the adjustment you are requesting and why you are requesting the adjustment:**

Our reader board is a U.S. built LED Display. Screen features include long lasting LED diodes with a 100,000 life expectancy (11 years) and a super-wide 160 degree viewing angle. It is 25 mm Red Grayscale 48"x 72" Double Face Display, and was placed in the housing of our previous reader board. You will note that we purchased this reader board with funds from a State Homeland Security Grant for the specific purpose of 'SVFR Communications Enhancement'.

We are requesting a variance on the rules and regulations (Code) to allow us to change the message on the Display more frequently than once an hour. You will note that the Display loses its effectiveness using the 'one change per hour' rule. The more information that we can impart to the public in the time it takes to approach the Display, the better.

Studies have shown that LED's are six times more effective than traditional billboards or static reader boards. One of the reasons they are effective is that people don't get tired of the messages since they change every few seconds. We tend to pay attention to things that are different or that move, or that we haven't seen before. The ability to change the Display more frequently than every hour prevents the message from becoming stale, and if the message becomes stale, the citizens could very well start to disregard it. We do not want to miss our target audience because the citizens become complacent.

By only changing our message once an hour, we are in effect training our citizens to ignore the Display. Instead, we want to train them to read the Display message, because there could very well be information on the Display that could save their lives. The messages on the Display speak directly to the citizens who drive by our building, thus making it an important landmark in the community.

Another method to train our citizens to check the messages as they drive by is to display the date, time and temperature, a very popular feature of LED Display reader boards. We get the public's attention and then seconds later we provide them with a safety message, a road closure, or a notification of an upcoming 'Increase your Survive-Ability' class, and the list goes on.

Our message reaches each citizen that passes by our location everyday. Allowing more frequent message changes mean instantaneous information to our citizens and quick reactions to the information imparted.

Our Fire District's mission statement is to preserve and improve the quality of life for all who live, work, visit, and invest in the City of Florence and the rural area that surrounds the city, through the efficient

delivery of emergency services supported by aggressive fire prevention and public education. With the authorization to change the message every few seconds rather than once an hour, our Display reader board will better assist our District to meet the goals set forth in our mission statement.

**1. Compliance with the applicable standard would create an unnecessary hardship.....**

Not applicable. Compliance with the applicable standard would not create an unnecessary hardship. Again, it would limit the effectiveness of the sign, making it less beneficial to our citizens. You will note

that there are no comparable properties in our vicinity. We are a governmental agency with the mission to serve the public.

**2. The hardship does not result from actions of the applicant, owner(s) or previous owner(s).....**

Not applicable. Again, we are requesting an exception to the time limitation between messages in an effort to improve the effectiveness of the Display's message.

**3. Approval of the adjustment will not adversely affect the function or appearance of the.....**

The approval of the adjustment of the timing of the messages will not adversely affect the function or appearance of the development and use of the subject property and surrounding properties; and will not impose limitations on other properties and signage in the area including signage that would be allowed on adjacent properties.

An adjustment of size or height could possibly affect a neighboring property, but the timing of messages will only benefit the entire community.

---

**AGENDA ITEM SUMMARY****ITEM NO:****FLORENCE CITY COUNCIL**

Meeting Date: December 19, 2011

Dept: Community Development

---

**ITEM TITLE: Monthly Report for Work Accomplished in November**

---

**DISCUSSION/ISSUE:**

The following report reflects the major activities and accomplishments of the Department for the past month. This report is presented in four sections:

- 1 - General Comments on activities or accomplishments for the department
- 2 – Building Permit Activity (not included this month)
- 3 – Current Land Use Applications (current and recently approved applications)
- 4 – Committees and Grants

**1 - General Comments**County Co-Adoption

The Board of County Commissioners held a public hearing in the “Matter of Adopting a Revised Chapter 14: Urbanization, Annexation Policies, Policy 1 for the Florence Realization 2020 Comprehensive Plan . . .” on November 22. The Board continued the hearing to January 31 at 7:00 pm. The hearing will be held at the Florence Events Center. At the hearing on the 22<sup>nd</sup>, Dan Stotter submitted the following language for the Board’s consideration.

*“The procedures of ORS 222.840 et seq. (Health Hazard Abatement) shall be initiated if necessary to address conditions which pose dangers to public health. The local board of health shall independently verify if there are conditions meriting further action under this statute by holding a public hearing to consider if there is sufficient evidence demonstrating that annexation actions are needed to protect the public health.*

*In the absence of a need for health hazard abatement annexation procedures, any annexation of county territory to the City of Florence shall utilize the an annexation method allowable by state law that requires a majority of consents, and shall not utilize annexation utilizing the ‘island annexation’ procedures set forth by ORS 222.750.*

*Any annexation proposed by the City of Florence using the ‘triple majority’ consent procedures of ORS 199.490 (2)(a)(A) shall, in addition, also require the consent of a majority of the electors registered within the territory proposed to be annexed., unless there are more property owners then electors within the territory that is proposed for annexation.”*

### Mariner's Village

Community Development Director Sandra Belson and Public Works Director Mike Miller met with concerned citizens of Mariners Village to discuss their concerns about stormdrainage.

### Coastal Needs Assessment

Assistant Planner Michelle Pezley met with Cinamon Moffett, a NOAA Coastal Fellow working with Department of Land Conservation and Development (DLCD). Ms. Moffett is conducting a needs assessment for DLCD to determine how estuary inventories are currently being used to support planning around estuaries and what data and format would be helpful to coastal communities. Michelle shared how we use estuary & coastal data and what other information would be useful to Florence as we look at options for expanding our Geographic Information System.

### **2 –November Building Permits**

Permit Technician Eric Rines is now back working fulltime as of December 5. However, he is having to catch up on many of his administrative and duties and has not had the opportunity to create a report for November. For next month's report, we will have an update for the last quarter of this year (October thru December).

### Quality Child Care of Florence (QCCF)

City staff met with two QCCF board members, Bill Craig (applicant's representative), Lisa Walter-Sedlacek of Laurel Bay Gardens, and Norm Wells of Ray Wells Inc to discuss submittal requirements for obtaining a building permit. Representing the city were Public Works Director Mike Miller, City Engineer Dan Graber, Community Development Director Sandra Belson, Building Official Carl Dependahl, and Assistant Planner Michelle Pezley.

### 3 - Current and Recently Approved Land Use Applications

With Michelle helping out with the processing of building permits and Wendy Farley and Michelle taking turns sitting at the front desk, the City contracted with Melissa Anderson to help with the processing of two current planning applications: Extension of Approval of Cannery Station Planned Unit Development and Conditional Use Permit for a Single-Family Residence in the Commercial Zone.

APPLICATION NAME	APPLICATION #	LOCATION	STATUS
Special Use Permit for extension of Veteran's Wall	AR 11 11 SU 01	Southernmost portion of Kingwood Street right-of-way	Application is complete, staff will prepare a decision once the public comment period ends.
Administrative Design Review for a new storage building at the Wastewater Treatment Plant	AR 11 06 DR 05	650 Rhododendron Drive	This application is on hold until Public Works decides how it proposes to handle construction of the storage building within a public right-of-way.
Extension of Approval of Cannery Station Planned Unit Development	PC 11 12 EAP 02	17 acres at the southwest corner of Highway 101 and Munsel Lake Road	After holding a public hearing on Nov. 22, the Planning Commission granted a six-month extension of the preliminary approval of the Planned Unit Development.
Conditional Use Permit for a single family residence in the Commercial District	PC 11 13 CUP 03	1738 20th Street	After holding a public hearing on Nov. 22, the Planning Commission granted a conditional approval to construct a single-family home.
Conditional Use Permit for a the Central Lincoln Public Utility District's temporary office building	PC 11 14 CUP 08	Northeast corner of the intersection of Hwy. 101 and 126	Application is incomplete.

#### **4 – Committees and Grants**

This section of the Community Development monthly report describes activities of committees and progress on grant-funded projects.

##### **CITY COMMITTEES STAFFED BY COMMUNITY DEVELOPMENT**

**Environmental Management Advisory Committee (EMAC), Wendy Farley**  
November 17<sup>th</sup> Regular Meeting – EMAC received an update on the Independent Waste Hauler Financial and Operational Data and Rate Review RFP selection process. The RFP was posted to the City's website on October 20<sup>th</sup> and closed on November 10<sup>th</sup>. On November 14<sup>th</sup> EMAC members MacDuffee and Sullivan, staffers Betz, Reynolds and Willoughby, and hauler representatives Twombly and Webb reviewed the RFP responses. As of the Nov. 17<sup>th</sup> meeting references were being called. EMAC also reviewed the final Greener Florence education flyer to be included in the Business License Renewal mail-out scheduled for November 22nd. County Transfer reported their summary results of a weight study performed on various container sizes. An update was provided on the City Hall kiosk by Chairperson Sandy Davidson.

Other November Activities: On November 25<sup>th</sup> the selected RFP firm—Bell & Associates was notified and regrets were sent to the other applicants. The firm is under contract and has started their review of the financial records. The Department of Environmental Quality approved the City's 2010 Opportunity to Recycle report submitted in February 2011.

Next Meeting –The next EMAC meeting is scheduled for December 15<sup>th</sup> and will include topics such as: Update on the independent consultant for financial materials review and continuation of recycling webpage design.

##### **Parks and Recreation Committee, Wendy Farley and Mike Miller**

Council decided to suspend soliciting committee members due to the limited response and the delay in developing a parks capital improvement plan.

##### **Planning Commission, Sandra Belson**

At its meeting on Nov. 8, the Planning Commission was joined by several members of the Transportation Project Advisory Committee in viewing a powerpoint presentation on recent bicycle and pedestrian projects in Florence and by watching a video on the difference between a road and a street.

At its meeting on Nov. 8, the Commissioners reviewed the quasi-judicial public hearing process.

At its meeting on Dec. 13, the Commission will identify code amendments that will fix current problems with Title 10. These will then be presented to Council for its consideration for initiating amendments at its Dec. 19 meeting.

## GRANT FUNDED PROJECTS

### **Update Transportation System Plan (TSP), Community Transit Plan, and Capital Improvement Plan (CIP) for transportation improvements**

Transportation & Growth Management (TGM) Grant managed by Sandra Belson  
\$155,000 - *joint program of DLCDC and Oregon Department of Transportation (ODOT), financed in part by federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and State funds*

Some members of the PAC is also invited to join the Planning Commission at its meeting on November 8 for the transportation-related agenda items. At its meeting on Thursday, November 10, the Committee reviewed facility standards and the past and future of transportation financing. The Committee will review transportation costs and priorities at its meeting on Dec. 8. Dan Graber will also report on the Urban Renewal project for Quince/2<sup>nd</sup> Street improvements. For more information about the update of the Transportation System Plan, check out the project website at <http://sites.kittelson.com/FlorenceTSP>.

### **Siuslaw Estuary Partnership**

West Coast Estuaries Initiative for Coastal Watersheds managed by Sandra Belson  
\$566,797 - *United States Environmental Protection Agency (EPA)*

The Siuslaw Estuary Partnership is a collaborative effort to protect and improve water quality and fish and wildlife habitat in the lower Siuslaw River Watershed. The public web site contains the most recent products from the project: [www.siuslawwaters.org](http://www.siuslawwaters.org)

- I. **SCIENTIFIC INVESTIGATION:** The Interdisciplinary Team continued to provide staff support for the project.
- II. **PUBLIC EDUCATION AND STEWARDSHIP:**
  - n Staff met with the superintendent of the Siuslaw School District who will present, at the December Board meeting, the City's request for a member of the School Board to participate as a Stakeholder for the Aquifer Protection Plan.
  - n The EPA Work Plan calls for a Focus Group to be formed the last year of the project to provide in-depth review and comment on the products. Three products are scheduled for completion next calendar year: Aquifer Protection Plan, Wetlands and Riparian Areas Plan, and Siuslaw Estuary Trail. These and other aspects of the Partnership will be presented to the Focus Group as early as January 2012.
  - n The third Open House is scheduled for April 30, 2012 at the Florence Events Center. Draft reports will be presented for public comment. A newsletter will be prepared and distributed throughout the study area prior to the Open House.



- n Staff continue to explore options for the Estuary Trail. City staff have met with members of the Port Board to determine the best way to reach agreement on use of the Port property for a trail. ODOT staff are scheduled to meet with City staff and consulting engineers on December 15 and will, at that time, begin to scope out the costs and requirements for enlarging the culvert in Munsel Creek.

### III. **WATER QUALITY AND QUANTITY:**

- n **Water Monitoring Program:** George Ehlers, Lane County contract sanitarian, came to Florence on November 3 to investigate the septic systems around the Well B2. There were some problems with the septic system located due east (immediately up-gradient) of the monitoring well, and those problems appear to be fixed. Staff will continue to take samples from the existing test wells and is considering installing another well to see if the high nitrate levels attenuate.
- n **Aquifer Protection Plan:**
  - n GSI Water Solutions, the hydrogeologist consultants for the project, submitted the draft Source Water Protection Areas (SWPA) Maps to the Oregon Health Authority (OHA) for state certification on October 31, 2011. OHA has 60 days to respond with a timeframe for them to decide on the delineation. Other activities can occur simultaneously with OHA's review, including the Technical Advisory Committee (TAC), the Stakeholder process, and the development of the Potential Contaminant Source Inventory.
  - n GSI is working with staff team members from the Oregon Department of Environmental Quality (DEQ) on a preliminary Contaminant Source Inventory, based on existing information from the 2003 Inventory and planned land uses in the area.
  - n The DWSA within the North Florence Sole Source Dunal Aquifer, once delineated and certified by the OHA, will be considered a "significant groundwater resource" under Goal 5 because the "public water system served by the wellhead area has a service population greater than 10,000 or has more than 3,000 service connections and relies on groundwater from the wellhead area as the primary or secondary source of drinking water."<sup>1</sup>[1] As such, it will be adopted as part of Florence's Comprehensive Plan along with policies to protect the resource.
  - n DEQ will certify the Aquifer Protection Plan for the Source Water component. Local adoption is not required for that to occur; but the City and the County both have to "sign off" on the Plan before DEQ will certify

it. This “sign off” could occur by motion after a work session with the City Council and the Board of Commissioners. It could conceivably be a joint work session. Staff could put the item on the agenda and ask for a motion of support for the Plan and then it would be submitted to DEQ. Then, the Comprehensive Plan and Code amendments would be submitted to the City Planning Commission and Council with the goal of City adoption by September 30, 2012. County co-adoption could occur after City adoption; but co-adoption was not promised in the EPA grant work plan. City and County staff could ask to have this item go before the elected officials in the Spring, after the April 30 Open House. That way, staff can report on any public comments received at the Open House.

- n As of this writing, three Community Stakeholders have expressed willingness to serve on the Stakeholder Group for the Aquifer Protection Plan; additional members are being sought to represent residents, property owners, and business owners in the UGB, including the golf course.
- n **Siuslaw Interpretive Site:** Construction of the stormwater demonstration site is a match project in the EPA Work Plan. A draft land use application document was prepared in November and is now being reviewed by Public Works staff along with site plans and drawings. Once the application has been submitted to the Community Development Department, it will be reviewed and scheduled for a Planning Commission public hearing.

#### IV. **WETLANDS AND RIPARIAN AREAS PLAN:**

Carol Heinkel and Sandra Belson are working closely with staff from the Department of Land Conservation and Development to propose significance criteria that make sense for Florence using the Oregon Rapid Wetlands Assessment Protocol (ORWAP). Since Statewide Planning Goal 17 “supersedes Goal 5,” any wetlands that are already subject to the Coastal Overlay Zones in Florence are not subject to the Goal 5 process. The study area for land use measures in the Partnership is the urban growth boundary (UGB); and there appear to be 13 non-Goal 17 wetlands in the Florence UGB. Of these, eight scored a “10” (the highest score possible) for Water Quality Function. City Recorder and GIS Technician Kelli Weese is in the process of overlaying the Coastal Shorelands Overlay Zones onto the wetland maps to get a precise depiction of the wetlands subject to Goal 5. Lane County staff are overlaying County Zoning, including overlay zones, to make a similar determination and also to ascertain if any potential land uses outside the UGB pose a threat to the wetlands that provide recharge and/or water quality function for the aquifer.. Once the mapping is done, staff will fine tune proposed significance criteria and seek concurrence from the Department of State Lands (DSL). Then, the proposed criteria will be presented to Council and, if all agree, DSL will be asked to formally “accept” the proposal for use in Florence.

# Code Enforcement Activity Report

## Report Criteria:

Period: November 1 - November 31, 2011

## Case Activity:

	November	YTD
New Calls	11	299
Open Cases at start of period	10	
Open Cases at end of period	7	
Citations Issued	5	108
(3 were parking citations)		

## Violation Classification

New Violations	
Animal Related	4
Parking/Storage on Street	3
Vegetation Complaints	1
All other calls	3
<b>Total</b>	<b>11</b>

Code Enforcement Activity Report

Generated By: Sarah Huff 12/02/11 at 1028 hrs

Attended monthly safety committee meeting

Attended TSP meeting

Attended Code Enforcement Meeting

Of the 3 parking citations, 1 was an area resident, 2 were non-residents, and 1 was a repeat offender.