

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

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**April 23, 2013**

**AGENDA**

**7:00 pm**

Cheryl Hoile, Chairperson

Curt Muilenburg, Vice Chairperson

Alan Burns, Commissioner

John Murphey, Commissioner

Robert Bare, Commissioner

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~ 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.*

**PUBLIC HEARING:**

**3. MISCELLANEOUS PROPOSED TEXT AMENDMENTS – RESOLUTION PC 13 06 TA 02:**

A proposal to amend multiple portions of the City of Florence Zoning Code (Title 10) in order to implement Oregon House Bill 3516, expand and clarify allowed uses, extend planning time frames, improve and clarify land use processes, and correct references and typographical errors throughout.

**4. PLANNING COMMISSION DISCUSSION ITEMS**

**5. DIRECTOR'S REPORT**

- Monthly Report – March 2013

**6. CALENDAR**

- Tuesday, May 7, 2013 – Siuslaw Estuary Partnership Joint Hearing with the Lane County Planning Commission, 7:00 pm at Florence City Hall
- Tuesday, May 14, 2013 – Regular Session, 7:00 pm at City Hall
- Tuesday, May 28, 2013 – Regular Session, 7:00 pm at City Hall
- Tuesday, June 11, 2013 – Regular Session, 7:00 pm at City Hall

The meeting location is wheelchair accessible.

Anyone requiring special accommodations, please call (541) 997-8237 at least 48 hours prior to the hearing

(Over for Public Hearing Procedure)

## PUBLIC HEARING PROCEDURE

The Planning Commission must make its decision based on facts. Prior to the hearing, staff will identify the applicable substantive criteria which have also been listed in the staff report. These are the criteria the Planning Commission must use in making its decision. All testimony and evidence must be directed toward these criteria or other criteria in the Plan or Land Use Regulations which you believe applies to the decision per ORS 197.763 (5). Failure to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and parties involved an opportunity to respond to the issue may preclude an appeal based on that issue. Prior to the conclusion of the initial evidentiary hearing, any participant may request more time to present additional evidence, arguments or testimony regarding the application.

A. Open Hearing

- *Planning Commissioners declare any conflicts of interest, bias, ex-parte contacts and site visits.*
- *Public may challenge a Commissioner's impartiality in making the decision.*

B. Staff Report

C. Applicant's Presentation

D. Testimony

*The Planning Commission will hear testimony from those in favor of the proposal, those against the proposal, and those that are neutral but have a comment. Copies of written testimony submitted for the hearing have been distributed to the Planning Commission. When you go to the table to testify, sign in (please write legibly) and state your name. If someone has made statements with which you agree, please come forward, sign in and just state that you agree with those comments. You do not need to restate the previous comments.*

- Proponents
- Opponents
- Neutral – Interested Persons
- Rebuttal from Applicant

D. Staff Response and Recommendation

E. Close of Hearing

F. Commission Deliberation - Direction to Staff or Decision

G. 1<sup>st</sup> and 2<sup>nd</sup> on Motion

H. Applicant's Opportunity to Respond to any New Conditions of Approval

I. Discuss and Vote on Motion

**CITY OF FLORENCE  
PLANNING COMMISSION**

**RESOLUTION NO. PC 13 06 TA 02**

LEGISLATIVE AMENDMENTS TO THE FLORENCE CITY CODE FOR TITLE 10 TO IMPLEMENT OREGON HOUSE BILL 3516, EXPAND AND CLARIFY ALLOWED USES, EXTEND PLANNING TIME FRAMES, IMPROVE AND ADD CLARITY TO LAND USE PROCESS, AND CORRECT REFERENCES AND TYPOGRAPHICAL ERRORS THROUGH-OUT.

**WHEREAS**, in November 2011 the City Council reviewed the Oregon house bills for the 2011 legislative session and determined that House Bill 3516: Residential and Commercial Solar Bill required amendments to Florence City Code;

**WHEREAS**, the City Planning Commission and Staff have determined that portions of the Code required alteration to clarify processes and correct references;

**WHEREAS**, the City Council met to discuss the proposed code amendments on November 21, 2011, December 19, 2011, and February 6, 2012, and the Planning Commission met to discuss the proposed code amendments on December 13, 2011;

**WHEREAS**, the City Council initiated the proposed amendments to the City code by motion on February 21, 2012;

**WHEREAS**, the City mailed notice to property owners within the Old Town Zoning Districts to ensure compliance with ORS 227.186 on April 3, 2013;

**WHEREAS**, the proposed code amendments were posted to the City's web site on April 3, 2013 and a notice was published in the Siuslaw News on April 14, 2013 and April 17, 2013 prior to conducting a public hearing on April 23, 2013;

**WHEREAS**, the Planning Commission finds the proposed text amendments are consistent with applicable criteria in Florence Realization 2020 Comprehensive Plan, Florence City Code and Oregon Revised Statutes;

**NOW THEREFORE BE IT RESOLVED** that the Planning Commission recommends the City Council:

Section 1. Adopt the Findings of Fact (Exhibit A)

Section 2. Amend FCC, Title 10 (Exhibit B);

**APPROVED BY THE FLORENCE PLANNING COMMISSION** this 23<sup>rd</sup> day of April, 2013.

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CHERYL HOILE, Chairperson  
Florence Planning Commission

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DATE

**Exhibit A: STAFF REPORT & FINDINGS**  
**FLORENCE COMMUNITY DEVELOPMENT DEPARTMENT**  
**Florence Planning Commission**

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**Date of Report:** April 15, 2013                      **Planner:** Kelli Weese  
**Date of Planning Commission Meeting:** April 23, 2013  
**Application:** PC 13 06 TA 02

**I. PROPOSAL DESCRIPTION**

**MISCELLANEOUS CODE AMENDMENTS – RESOLUTION PC 13 06 TA 02:**  
application by the City of Florence, initiated by City Council proposing minor amendments to Title 10, Chapters 1-8, 10-12, 15-17, 19, 22-25, 27, 30, 31, and 34-36 in order to implement Oregon House Bill 3516, expand and clarify allowed uses, extend planning time frames, improve and clarify land use processes, and correct references and typographical errors throughout.

**II. NARRATIVE**

**Background**

On November 21, 2011, the City Council reviewed the Bills from the 2011 Legislative Session. House Bill 3516: Residential and Commercial Solar Bill was the only bill that required code amendments to Florence City Code Title 10. That bill exempts residential and commercial solar photovoltaic and solar thermal energy systems from land use restrictions and fees, with the exception of historical buildings. During the November 21<sup>st</sup> meeting, the City Council requested staff to report back to City Council to initiate code change to meet the requirements of HB 3516.

As directed, on December 19, 2011, the City Council considered a package of potential code amendments identified to address recent changes to state law relating to solar access. Staff recommended incorporating fixes to some problems identified by the Planning Commission and staff with the existing code in Title 10. The Council provided some direction on the potential amendments but decided to continue discussion in a work session format for more clarity. The Council held a work session to further discuss the amendments on February 6, 2012. Staff incorporated the changes directed by City Council and City Council unanimously approved the motion to initiate the proposed amendments on February 21, 2012.

**Summary of Proposed Changes**

**Expanding Uses Allowed:**

1. Expand where animal clinics and grooming facilities are allowed. Currently, animal clinics are permitted in the Limited Industrial District and Pacific View Business Park, and allowed conditionally in the Highway District. City Council proposes to permit animal clinics or grooming facilities in the Commercial, North

The preparation of this report was made possible in part through financial assistance provided by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, through a grant to the Department of Land Conservation and Development.



- Commercial, and Main Street Districts, as long as the animal clinic or grooming facility is not abutting a residential use or district. *Chapters 15, 30, and 27*
2. Add Mini Storage Units as an allowed use in the Highway District. *Chapter 16*
  3. Add City Well-field as a permitted use in the Open Space District. *Chapter 22*
  4. Add Animal Daycare and Overnight Boarding Facility as an allowed use in the Service Industrial District. *Chapter 31*

Extending Time Frames:

5. Allow one-year instead of six months to restore a use destroyed by fire or other disaster. *Chapter 8*
6. Consider a use abandoned after six consecutive months rather than six months out of any twelve consecutive months. Also, consider a conditional use as no longer valid if abandoned for six consecutive months. *Chapters 6 and 8*
7. Once a preliminary development plan has been approved, allow one year for submission of final development plan with an option for a one-year extension rather than six month timeframes. This change would make planned unit development extensions consistent with the timeframes and criteria in place for design reviews, conditional use permits, and variances. *Chapter 23*

Improving/Clarifying Processes:

8. Allow "modifications" of existing developments, not just those that have an approved Design Review. *Chapter 1*
9. Allow appeal of decisions that are not quasi-judicial and make other changes to the appeal process to clarify "affected party", timelines, and issues subject to appeal. *Chapter 1*
10. Allow land use applications to be submitted by people other than property owners, as long as property owner signs the application. This amendment would allow a business owner, developer, or builder to be the applicant. *Chapter 2*
11. Explicitly allow expansions of existing conditional uses by 25% without the need for a new conditional use permit, as long as the expansion is consistent with the previous approval. *Chapter 4*
12. Rely on the zoning district chapters when Design Review is required rather than specifying this requirement in the Design Review chapter. This approach will reduce internal inconsistencies. *Chapter 6*
13. Take Planning Commission out of process for restoration of non-conforming uses and define "restore". *Chapter 8*

Other:

14. Correct references and typographical errors and clarify text throughout code.
15. Clarify that animal clinics and dog grooming facilities are not an allowed use within the Old Town District.

The State of Oregon has deemed that the Florence Realization 2020 Comprehensive Plan is consistent with the Statewide Planning Goals. Therefore, Statewide Planning Goals is not used as criteria for the findings of this report.

### III. REFERRALS/ NOTICES

#### **Referrals:**

Referrals were sent to Oregon Department of Transportation, Department of Land Conservation and Development, Lane County Land Management, Confederated Tribes of Coos, Lower Umpqua and Siuslaw, Central Lincoln PUD, Florence Building, Public Works, and Police Departments, and Siuslaw Valley Fire & Rescue.

#### **Notices:**

DLCD Notice is not required per ORS 197.610 (5).

Notice was published in the April 14<sup>th</sup> and April 17<sup>th</sup> editions of the Siuslaw News. Notice was also mail directly to property owners within the Old Town Zoning Districts to ensure compliance with ORS 227.186. As of this writing, no comments have been received.

### IV. APPLICABLE REVIEW CRITERIA

#### **Florence City Code (FCC) Title 10: Zoning Regulations**

Chapter 1, Zoning Administration:

Section 1-3 Adjustments and Changes

Section C Legislative Changes

#### **Florence Realization 2020 Comprehensive Plan**

Chapter 1, Citizen Involvement: Policy 4 and 5

Chapter 2, Land Use: Policy 3 and 7, Commercial Policies 4 and 6, Recommendation 5 and 9, Commercial and Plan Designation Categories and Background for Commercial and Highway

Chapter 17: Coastal Shorelands: Ocean, Estuary, and Lake Shorelands Policy 16-E

#### **Oregon Revised Statutes**

Oregon Revised Statutes (ORS) 227.186

### V. FINDINGS

The criteria are listed in bold followed by the proposed findings of fact

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#### **TITLE 10 CHAPTER 1: ZONING ADMINISTRATION**

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##### **10-1-3: Amendments and Changes.**

##### **C. Legislative Changes**

**1. Initiation: A legislative change in zoning district boundaries, in the text of this Title, (Title 10), Title 11, or in the Comprehensive Plan may be initiated by resolution of the Planning Commission, or by a request of the Council to the Planning Commission that proposes changes to be considered by the Commission and its recommendation**

- returned to the Council, or by an application for an amendment by a citizen.
2. **Notice and Public Hearing.** Such notice and hearing as prescribed by state law and the Comprehensive Plan then in effect.

The City has met this policy. The proposed amendments were initiated by the City Council via motion on February 21, 2012. Notice of public hearing were made in accordance with state laws. Notice of hearing was prepared and sent to all affected owners of property in accordance with ORS 227.186, and such notice contained the specified language within the ORS.

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## **COMPREHENSIVE PLAN CHAPTER 1: CITIZEN INVOLVEMENT**

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**Policy 4: Official City meetings shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment.**

The City has met this policy. The public hearing was noticed in the paper 10 days prior to the hearing as required by state law. The City also keeps the website up to date on when the city meetings are held and materials for the meetings are posted on the website 24 hours prior to the meeting. The agendas are also posted in City Hall. Furthermore, the city provided notice to those property owners within Old Town Zoning District because the proposal clarifies that animal clinics and pet grooming places are not allowed within Old Town Districts.

**Policy 5: Records of all meetings where official action is taken shall be kept at City Hall and made available on request to the public.**

The City meets this policy. Once the Planning Commission and City Council approves the minutes for each meeting, the minutes are added to that meeting's calendar event on the City's website. The public may also request a copy of the approved minutes at City Hall. Minutes from the Planning Commission will be forwarded to the City Council.

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## **COMPREHENSIVE PLAN CHAPTER 2: LAND USE**

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**Policy 3. The quality of residential, commercial and industrial areas within the City shall be assured through the enforcement of City zoning, design review, applicable conditions of development approval, parking and sign ordinances, and the enforcement of building, fire, plumbing and electrical codes.**

The Design Review process ensures that each applicant is following all of the code provisions. The Design Review process also aids staff to apply all the code provisions

in each case and ensures that the city zoning, parking, and sign ordinances are followed. The Planning Commission recommended moving the criteria for what and when a design review would be required away from FCC Title 10, Chapter 6 and into each Zoning District. This action will clarify when a design review is required. The proposal also adds language to each zoning district which does not clearly state that uses and buildings are subject to design review. The proposal does not change which developments are subjected to design review.

**Policy 7. The City shall determine estimated additional usage and the impacts of proposed development upon maximum capability for sewer, water and stormwater systems. This information is to be included in subdivision and design review staff reports.**

The proposal expands the uses that are allowed in six different zoning districts. Within the Highway, Commercial, and Main Street Zoning Districts, the proposal adds Animal Clinics as an allowed use, as long as they do not abut a residential use or residential district as directed by City Council. The proposal clarifies that a drive-thru and drive-in restaurant are allowed within the Commercial and Highway Districts, which already includes drive-ins and walk-ups. The proposal adds mini storage units as an allowed use within the Highway District. Within the Open Space District, the proposal adds City Well-Field as an allowed use. Lastly, the proposal adds animal daycare and overnight boarding facilities as an allowed use within the Service Industrial District.

The proposed additional uses are not projected to have a significant impact to sewer, water, and stormwater systems compared to the other uses within each zoning district. Furthermore, the stormwater manual which was updated in 2011 requires new development to address stormwater on site which lessens the demand on stormwater systems. The city has the water and sewer capability to expand and grow within the next 20 years.

## **COMMERCIAL**

**Policy 4. The City shall encourage commercial developments which enhance their surroundings through the on-site use of attractive architecture, relative scale, abundant landscaping, vehicular access improvements and appropriate signage.**

The property owners will still have to apply for a design review or conditional use permit if they choose to build a new building or propose alterations. The proposal does not change the design review criteria in looking at attractive architecture, relative scale, abundant landscaping, vehicular access improvements or appropriate signage. The changes proposed to the design review criteria will clarify existing conflicts between Chapter 6 and the remaining zoning district chapters.

**Policy 6. All commercial developments shall be expected to meet a minimum level of improvement and development standards, either initially or at the time of reuse or redevelopment.**



This policy is applied by the requirements of the design review process. The proposal does not change the requirements of when a design review process is required but changes the location of design review requirements within the code.

**Recommendation 5: The City should rely on its site design guidelines and standards for objectively evaluating each new development proposed pursuant to its design review process.**

Within the city code, design review process is required for new buildings, new additions, or exterior remodels. The proposal does not change the requirements of when design review is required but changes where to find when a design review is required.

**Recommendation 9. Heavy commercial uses such as contractors' yards; sand, gravel and landscape material supply yards (wholesale and retail); lumber yards; concrete batch plants; truck and equipment rental and leasing with outside storage of vehicles and equipment; salvage operations; and other similar uses should be encouraged to locate or relocate in the Airport Industrial Park or in the Service Industrial District on Highway 101. Expansions of such uses in other districts should be limited to expansions on the existing site only.**

The city code applies this recommendation in Title 10, Chapter 31: Service Industrial District. The proposal also expands the uses within Chapter 31: Service Industrial District by adding Animal Daycare and Overnight Boarding Facility as an allowed use.

## **COMMERCIAL PLAN DESIGNATION CATEGORIES AND BACKGROUND: COMMERCIAL**

Three areas are designated Commercial in the Plan Map. The Commercial designations at Driftwood Shores and the adjacent parking area and the tavern located at 88274 Rhododendron Drive are retained in this Plan. Another of these areas is between approximately Highway 126/9th Streets and 21st Street, straddling the east and west side of Highway 101 and varying in depth from one to two blocks. Retail and service commercial uses are appropriate for this area, as are professional offices and motels. Residential, in the form of second-story apartments over ground floor commercial, is also an appropriate accessory use. Commercial uses should be conducted primarily within a building, facilitate both vehicular and pedestrian access, and relate to surrounding buildings in terms of scale and street orientation. Architectural and site design guidelines are appropriate for both new development and redevelopment.

The third area designated Commercial are lands north and south of Highway 126 and east of Quince Street. These lands were designated Highway Commercial in the 1988 Comprehensive Plan Map and zoned for commercial use by Lane County. Retail and service commercial, professional offices, lodging and

**restaurant establishments are appropriate uses for this area. Upper story residences are encouraged where they can be protected from highway impacts.**

**The implementing zoning district for the Commercial Plan designation is the Commercial District.**

The proposal increases uses to the Commercial District with the addition of animal clinics and grooming facilities (that are not adjacent to a residential use or a residential district). Animal clinics and grooming facilities are referred to as a service commercial use and are appropriate for the Commercial District as outlined in the above narrative.

## **HIGHWAY**

**The Highway Plan designation applies to lands east and west of Highway 101, north of 21<sup>st</sup> Street and south of the North Commercial Node. This is the same area designated Highway Commercial in the 1988 Comprehensive Plan Map, except for three areas: lands within the North Commercial Node (NCN), lands abutting Highway 126 east of Quince Street (now designated Commercial), and certain lands located between Pine and Oak Streets that were previously designated Highway. The implementing zoning district for the Highway Plan designation category is Highway District.**

The proposal adds additional uses within the Highway Zoning District that are referred to as a service commercial uses and are appropriate uses within the Highway District. The proposal does not include a map amendment changing the location of any zoning district.

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## **COMPREHENSIVE PLAN CHAPTER 17: COASTAL SHORELANDS: OCEAN, ESTUARY, AND LAKE SHORELANDS**

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**Policy 16. In Residential Development Management Units, the following additional policies shall apply:**

**e. For any approved development on coastal lake or estuarine shoreland in this MU, a minimum 50' horizontal buffer zone is required from the estuary or lake. Where vegetation is not presently existing, it should be encouraged to be replanted. (Setback requirements on ocean shorelands in this MU will vary depending on the rate of erosion in the area and will be determined by Phase II Site Investigation Report, with a 100' minimum).**

The proposal includes amending Title 10, Chapter 19, Section 6 to eliminate the land use process of removing a tree, which is deemed a hazard, diseased, or damaged. The

proposal also meets this policy by also requiring the property owner to replace the tree with a tree from the city's suggested tree list.

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## VII. CONCLUSIONS AND RECOMMENDATIONS

The proposed amendments to the Florence City Code Title 10 are consistent with the applicable criteria in the Florence Realization 2020 Comprehensive Plan, Florence City Code, and Oregon Revised Statutes. Approval shall be shown on exhibits A and B.

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## VII. EXHIBITS

- A. *Findings of Fact*
- B. Proposed amendments
- C. Minutes from Planning Commission December 13, 2011 meeting, City Council November 21, 2011, December 19, 2011, February 6, 2012, and February 21, 2012.

**NOTED**

4-12-13  
*Jm Betz*

**J.M. Betz**

**Exhibit B – April 23, 2013**  
**Resolution PC 13 06 TA 02**  
**Proposed Amendments to Title 10**

*Additions are shown in double underline and deletions shown as strike-out.*  
*[Change Directions are shown in Bold, Red within Brackets]*

**CHAPTER 1: ZONING REGULATIONS**

**10-1-1-6: ADMINISTRATIVE REVIEW**

3. Modification ~~to an approved Design Review~~ of less than 1,500 square feet or less than 25% of the building square footage, whichever is less.

**10-1-1-7: APPEALS:** Under this Title, any limited land use or quasi-judicial decision ~~of the Planning Commission or Design Review Board~~ may be appealed ~~to the City Council~~ in accordance with the ~~following~~ procedure: listed below. Administrative decisions may be appealed to the Planning Commission/Design Review Board. Planning Commission/Design Review Board decisions may be appealed to the City Council.

- A. A notice of intent to appeal must be filed by an affected party, which includes ~~persons mailed notice of the hearing and~~ persons testifying orally or in written form at the hearing held on the matter.
- D. The written petition on appeal shall include:
4. The action requested of the Planning Commission/Design Review Board or Council and the grounds therefore.
- E. Unless otherwise provided by the Planning Commission/Design Review Board or City Council, the review of the initial action shall be confined to the issues raised upon appeal and be based on the record of the proceeding below, which shall include:
1. All materials, pleadings, memoranda, stipulations and motions submitted by any party to the proceeding and received or considered ~~by the Planning Commission or Design Review Board~~ as evidence.
2. All materials submitted by the City staff with respect to the application.
3. The minutes of the hearing (if applicable).
4. The Findings on which the decision is based. ~~and action of the Planning Commission or Design Review Board~~



5. The notice of intent to appeal or the requests for review and the written petitions on appeal.
  6. Argument by the parties or their legal representatives ~~before the Council.~~
- F. The ~~Body hearing the appeal~~City Council may affirm, reverse or amend the decision ~~of the Planning Commission or Design Review Board~~ and may reasonably grant approval subject to conditions necessary to carry out the Comprehensive Plan and ordinances. The Council may also refer the matter back to the Planning Commission/Design Review Board for additional information. When rendering its decision, the Body hearing the appeal the Council shall make findings based on the record before it and any testimony or other evidence received by it.

#### **10-1-5: LAND USE CATEGORY DEFINITIONS:**

**Retail Service and Repair:** Retail Service firms provide personal services and/or provide product repair for consumer and business goods. Some examples are photographic studios, ~~veterinary clinics~~, dance classes, locksmith and upholsterer (different than Quick Vehicle Servicing and Vehicle Repair).

## **CHAPTER 2: GENERAL ZONING**

**10-2-6: WHO MAY APPLY:** In general, only the owner of a subject property may apply for action by the Planning Commission under the provisions of this Title. Others may also apply for action as long as the owner has indicated consent with the application by either signing the application or by submitting a letter or lease to that effect. An individual who has entered into an earnest money agreement to buy a property is considered to have an ownership interest for the purposes of this Title.

## **CHAPTER 3: OFF-STREET PARKING AND LOADING**

**10-3-8: PARKING AREA IMPROVEMENT STANDARDS:** All public or private parking areas, loading areas and outdoor vehicle sales areas shall be improved according to the following: All required parking areas shall have a durable, dust free surfacing of asphaltic concrete, cement concrete, porous concrete, porous asphalt, permeable pavers such as turf, concrete, brick pavers or other materials approved by the City. Driveways aprons shall be paved for the first fifty feet (50') from the street.

- A. Parking for new single family dwellings and duplexes shall be provided as a carport or garage, unless the majority of existing dwellings within 100 feet of the property boundary of the proposed development do not have such covered parking facilities. The number of required covered parking spaces shall be based on the predominant number of covered spaces on the majority of lots within the

100 foot radius. Parking spaces shall measure nine (9) feet and six (6) inches wide by nineteen (19) feet long. No encroachments (such as water heaters, steps, door swings) are allowed into the required parking spaces.

**10-3-9: PARKING STALL DESIGN AND MINIMUM DIMENSIONS:** All off-street parking spaces (except those provided for single-family and duplex homes) shall be improved to conform to City standards for surfacing, stormwater management, and striping and where provisions conflict, the provisions of FCC Title 9 Chapter 5 shall prevail. Standard parking spaces shall conform to minimum dimensions specified in the following standards and Figures 10-3(1) and Table 10-3-3:

## **CHAPTER 4: CONDITIONAL USE PERMIT**

[Add the proposed 10-4-2: General Applicability section and renumber remaining code provisions in this section.]

**10-4-2: GENERAL APPLICABILITY:** Remodels and expansions of up to 25% of the floor area are allowed without a new conditional use permit as long as the remodel or expansion is consistent with the original approval.

### **10-4-7: EXPIRATION OF CONDITIONAL USE PERMIT**

A. Authorization of a conditional use permit shall be void one (1) year after the date of approval of a conditional use application, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Substantial construction shall be considered to be completion of a building foundation.

The applicant may apply to the Planning Commission for a one-time extension of one (1) year maximum duration based on compliance with the following criteria:

- 1A. The request for an extension is made in writing prior to expiration of the original approval.
- 2B. There are special or unusual circumstances that exist which warrant an extension.
- 3C. No material changes of surrounding land uses or zoning has occurred.

The Planning Commission may deny the request for an extension of a conditional use if new land use regulations have been adopted that affect the applicant's proposal.

B. The discontinuance of a conditional use for twelve (12) consecutive months shall constitute expiration of that conditional use. The use occupying the premises thereafter shall conform to the regulations of the zoning district in which it is located.



## CHAPTER 5: ZONING VARIANCES

**10-5-7: EXPIRATION OF VARIANCE:** Authorization of a variance shall be ~~void~~ void one (1) year after the date of approval of a variance application, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Substantial construction shall be considered to be completion of a building foundation. The applicant may apply to the Planning Commission for a one-time extension of one (1) year maximum duration based on compliance with the following criteria:

## CHAPTER 6: DESIGN REVIEW

### 10-6-3: GENERAL APPLICABILITY:

A. The Design Review Board shall, ~~in exercising or performing its duties or functions,~~  
1. When required by the zoning district, review new construction, alterations to the exterior of structures or additions involving twenty five percent (25%) or more of the floor area of a building, and changes of use from less intensive to greater intensive use not eligible for administrative review (see Chapter 1-1-6-B). This review shall be completed prior to the issuance of a building permit.

2. Determine whether the proposed development (other than single-family and duplex residences if allowed as a permitted use) is appropriate to the character of the neighborhood, according to the general criteria listed in Section 10-6-5.

3. Have authority to require changes in the planned appearances of proposed buildings, structures and alterations in accordance with Section 10-6-1; and.

~~The Design Review Board shall provide this monitoring in the Multiple-Family Residential, Neighborhood Commercial, Commercial, Highway, Waterfront, Marine, and Open Space Districts for all new construction, alterations to the exterior of structures or additions involving twenty five percent (25%) or more of the floor area of a building, prior to the issuance of a building permit. In addition, all conditional use permits granted by the Planning Commission and any expansion of a pre-existing, nonconforming use requires approval by the Design Review Board. Permitted land uses in the Limited Industrial and Pacific View Business Park Districts are exempt from Design Review requirements, but conditional uses in these districts require Design Review.~~

~~B. Conditional uses are subject to design review in accordance with Section 10-6-5 of this Chapter.~~

~~C. When a use changes in the Commercial, Highway, Waterfront, or Marine Districts, the applicant will be required to receive approval of the site and structures in accordance with Section 10-6-5 of this Chapter.~~



~~D. The Design Review Board shall have authority to require changes in the planned appearances of proposed buildings, structures and alterations in accordance with Section 10-6-1 hereof.~~

~~EB.~~ The Design Review Board shall review any proposed external alteration, demolition, or change of use for any building shown on the historic resources map of the Comprehensive Plan. The Board may delay action on such a permit for a period of ninety (90) days to explore with the owner options for rehabilitation and preservation of the structure. (Ord. 680, 1-11-83)

C. The requirements of individual zoning districts shall prevail where the applicability of this chapter and individual zoning districts conflict.

**10-6-6: DRAWING SUBMITTAL:** The owner or authorized agent shall submit the following drawings to the City for review:

~~E. It is expressly understood that single-family residential homeowners are exempted from the above plans, scale drawings and architectural drawings enumerated above except as required for the issuance of a building permit or under State law. (Ord. 625, 6-30-80)~~

## CHAPTER 7: SPECIAL DEVELOPMENT STANDARDS

**10-7-1: PURPOSE:** The purpose of this Chapter is to apply additional development standards to areas with potential natural hazards or soils which are particularly subject to erosion, landslide or seasonal surface water. Compliance with these standards is required in order to obtain a ~~Special Use P~~ permit. The standards are intended to eliminate the danger to the health, safety or property of those who would live in potential problem areas and the general public and to protect areas of critical environmental concern; areas having scenic, scientific, cultural, or biological importance; and significant fish and wildlife habitat as identified through Goal 5: Open Spaces and Scenic, Historic, and Natural Resources, and Goal 17: Coastal Shorelands.

## CHAPTER 8: NONCONFORMING LOTS AND USES

**10-8-4: DESTRUCTION OF NONCONFORMING BUILDINGS:** In the event of damage or destruction due to fire or other disaster, a nonconforming building or structure may be replaced stored in accordance with the Uniform Building Codes 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 Replacement shall be commenced within six (6) months one year 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~~one year.

**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.

**10-8-9: DEFINITION OF REPLACE:** To rebuild a structure such that it is brought back to its original use. In replacing a damaged nonconforming structure, the structure does not need to conform to the prior design but the design may not be altered in a manner that increases its nonconformity.

## **CHAPTER 10: RESTRICTED RESIDENTIAL DISTRICT (RR)**

### **10-10-5: SITE DEVELOPMENT PROVISIONS:**

D. ~~Off-Street Parking:~~ Refer to Chapter 3 of this Title (Off-Street Parking and Loading):

- ~~1. Residential dwellings shall have at least two (2) permanent parking spaces. Such a parking space, garage or carport shall provide for the ingress and egress of a standard size automobile. Each parking space must be at least nineteen feet long and nine and one-half feet wide (19x9 1/2'). Regular off-street parking shall not be permitted within the required yards adjacent to a street.~~
- ~~2. Nonresidential uses shall provide parking in accordance with Chapter 3 of this Title.~~

## **CHAPTER 11: SINGLE-FAMILY RESIDENTIAL DISTRICT (RS)**

### **10-11-5: SITE DEVELOPMENT PROVISIONS:**

D. ~~Off-Street Parking:~~ Refer to Chapter 3 of this Title (Off-Street Parking and Loading): ~~Residential dwellings shall have at least two (2) permanent parking spaces. Such a parking space, garage or carport shall provide for the ingress and egress of a standard size automobile. Each parking space must be at least nineteen feet long and nine and one-half feet wide (19' x 9 1/2'). Regular off-street parking shall not be permitted within the required yards adjacent to a street.~~

## CHAPTER 12: MOBILE HOME/MANUFACTURED HOME REGULATIONS

### 10-12-1-5: SITE AND DEVELOPMENT PROVISIONS:

- D. Off-Street Parking: Refer to Chapter 3 of this Title (Off-Street Parking and Loading): ~~Residential dwellings shall have at least two (2) permanent parking spaces. Such a parking space, garage or carport shall provide for the ingress and egress of a standard size automobile. Each parking space must be at least nineteen feet long and nine and one half feet wide (19' x 9 1/2'). Regular off-street parking shall not be permitted within the required yards adjacent to a street.~~

## CHAPTER 15: COMMERCIAL

**10-15-2: PERMITTED BUILDINGS AND USES:** The following uses shall be permitted only upon affirmative findings by the Planning Commission that the proposed use meets the general criteria in Section 10-16-4 herein.

Animal Clinics or grooming facilities (not abutting a residential use or district)

Restaurants, drive-ins and walk-ups (includes drive-thrus and drive-ups)

### 10-15-3: BUILDINGS AND USES PERMITTED CONDITIONALLY:

Residential units, provided that the building contains a commercial business and that the dwelling shall not occupy the front twenty five feet (25') facing the commercial street and not more than fifty percent (50%) of the ground floor area ~~facing the principal commercial street~~; if access to the dwelling is from the principal commercial street, it shall be a separate entrance and not more than six feet (6') wide.

## CHAPTER 16: HIGHWAY

### 10-16-2: PERMITTED BUILDINGS AND USES:

D. Mini Storage units

## CHAPTER 17: OLD TOWN

**10-17A-2 LAND USES FOR AREA A:** The following establishes permitted, conditional, and prohibited uses for the Old Town District Area A:

### C. Prohibited Uses:

Restaurants, with drive thru (includes drive-up and drive-thru)

Kennels, animal clinics, or grooming facilities



#### 10-17A-4 SITE AND DEVELOPMENT PROVISIONS FOR AREA A:

**E. Parking and Loading Spaces:** Non-residential parking spaces may be located on-street in front of the lot, and/or may be located in an interior parking lot within the block or in an off-site lot. Individual parking areas or lots will not be approved unless no other alternative exists. Parking may not be located between the building and the street.

Residential parking spaces may be specifically designated within any on-site parking area. Individual parking areas or lots located off-site will not be approved unless no other alternative exists; such off-site parking assigned to specific residential buildings in Area A shall be located on the same block ~~(to avoid crossing a street) or and shall not be~~ more than 3500 feet from the residential building entrance.

Bike racks shall be located either in the interior parking lot or by an entrance. Bike racks may not be located in the required eight feet (8') minimum pedestrian walkway.

**K. Design Review:** All uses in Area A of Old Town District whether permitted or conditional uses, shall be subject to design review (FCC 10-6) to insure compatibility and integration with the character of the district and to encourage revitalization. Architectural design shall be reviewed against Downtown Architectural Design Guidelines to determine compatibility with the character of the district, with the exception of solar photovoltaic and solar thermal energy systems as allowed by HB 3516 on properties not listed in the Comprehensive Plan's Historic Inventory.

**10-17B-2 LAND USES FOR AREA B:** The following establishes permitted, conditional, and prohibited uses for the Old Town District Area B:

**C. Prohibited Uses:**

Kennels, animal clinics, or grooming facilities

#### 10-17B-4 SITE AND DEVELOPMENT PROVISIONS FOR AREA B:

**K. Design Review:** All uses in Area B of Old Town District whether permitted or conditional uses, shall be subject to design review (FCC 10-6) to insure compatibility and integration with the character of the district and to encourage revitalization. Architectural design shall be reviewed against Downtown Architectural Design Guidelines to determine compatibility with the character of the district, with the exception of solar photovoltaic and solar thermal energy systems as allowed by HB 3516 on properties not listed in the Comprehensive Plan's Historic Inventory.

**10-17C-2 LAND USES FOR AREA C:** The following establishes permitted, conditional, and prohibited uses for the Old Town District Area C:

**C. Prohibited Uses:**

Kennels, animal clinics, or grooming facilities

#### 10-17C-4 SITE AND DEVELOPMENT PROVISIONS FOR AREA C:

**K. Design Review:** All uses in Area C of Old Town District whether permitted or conditional uses, shall be subject to design review (FCC 10-6) to insure compatibility and integration with the character of the district and to encourage revitalization. Architectural design shall be reviewed against Downtown Architectural Design Guidelines to determine compatibility with the character of the district, with the exception of solar photovoltaic and solar thermal energy systems as allowed by HB 3516 on properties not listed in the Comprehensive Plan's Historic Inventory.

### CHAPTER 19: ESTUARY, SHORELANDS, AND BEACHES AND DUNES

#### 10-19-6: SHORELAND RESIDENTIAL OVERLAY DISTRICT /SR

- E. Site Development Requirements: The development requirements specified herein shall be in addition to those provided by the base zoning district. See also Chapter 7 for additional requirements that may apply.
4. A minimum fifty foot (50') buffer zone of native vegetation shall be remaintained along the estuary (as measured from the mean high tide) and Coastal Lakes (as measured from the average high water).
  6. All mature trees must be retained in the 50' buffer zone, unless they are an obvious hazard or determined by an arborist to be diseased or damaged beyond repair. If a mature tree is removed, it shall be replaced with a tree with a tree from the city's suggested tree list.

### CHAPTER 22: OPEN SPACE DISTRICT (OS)

#### 10-22-2: PERMITTED BUILDINGS AND USES:

City well-field.

### CHAPTER 23: PLANNED UNIT DEVELOPMENT (PUD)

#### 10-23-11: APPROVAL OF THE FINAL DEVELOPMENT PLAN:

1. Within six (6) months one year following the approval of the preliminary development plan, the applicant shall file with the Planning Commission a final development plan containing in final form the information required in the preliminary plan. The Planning Commission may grant a one-time extension of one (1) year maximum duration based on compliance with the following criteria: In



~~its discretion and for a good cause, the Planning Commission may extend for six (6) months the period for the filing of the final development plan.~~

~~a. The request for an extension is made in writing prior to the expiration of the original approval.~~

~~b. There are special or unusual circumstances that exist which warrant an extension.~~

~~c. No material changes of surrounding land uses or zoning has occurred.~~

~~The Planning Commission may deny the request for an extension if new land use regulations have been adopted that affect the applicant's proposal.~~

## **CHAPTER 24: WATERFRONT/MARINE DISTRICT (WF/M)**

**10-24-2: PERMITTED BUILDINGS AND USES:** ~~The uses permitted in the WF/M District shall be those listed as permitted uses in Chapter 18: Marine District. The provisions of the adjacent Estuary District shall supersede the provisions of this Chapter. The adjacent Estuary District shall be reviewed for additional uses and requirements that may apply. No uses are permitted, all uses are allowed conditionally per 10-24-3.~~

## **CHAPTER 25: PROFESSIONAL OFFICE/INSTITUTIONAL ZONING DISTRICT**

**10-25-2: PERMITTED BUILDINGS AND USES:**

13. Animal clinics or grooming facilities (not abutting a residential use or district)

**10-25-2: BUILDINGS AND USES PERMITTED CONDITIONALLY:** The Planning Commission, subject to the procedures and conditions set forth in Chapters 4 and ~~56~~ of this Title may grant a conditional use permit for the following uses, provided that they are proposed in conjunction with an upper level residential apartment or condominium permitted under Section 10-25-2, accessory residential uses, which is not less than fifty percent (50%) of the total gross floor area of the building, or, as part of a commercial planned unit development:

**10-25-5: DESIGN CRITERIA**

F. All HVAC systems, exhaust pipes or stacks, satellite dishes or other telecommunications receiving devices shall be thoroughly screened from view from both the public right-of-way and adjacent properties by using walls, fencing, roof elements, or landscaping, with the exception of solar photovoltaic and solar thermal energy systems as allowed by HB 3516. Such screening devices shall be compatible with building materials and/or adjacent area landscape treatments.

## CHAPTER 27: MAINSTREET

### 10-27-2: Permitted Buildings and Uses

A10: Animal clinics or grooming facilities (not abutting a residential use or district)

### 10-2-7-3 Buildings and Uses Permitted Conditionally

j. Restaurants, drive-in (includes drive-thru and drive-up)

### 10-27-4 Lot and Yard Dimensions

#### D. Yard Regulations:

Area "B": Single family residential uses shall meet the standards of the Single Family Residential District. Multi-family units shall meet the standards of the Multi-family district. Conversion to mixed use or commercial use shall conform to Mainstreet District standards, except that the 208' height requirement does not apply.

### 10-27-5 Site and Development Provisions

#### D. Parking and Loading Spaces

Area "B":

Single family residential uses shall meet the standards of the Single Family Residential District. Multi-family units shall meet the standards of the Multi-family district. Conversion to mixed use or commercial use shall conform to Mainstreet District standards, except that the 208' height requirements do not apply.

#### E. Vision Clearance.

Refer to Section 10-1-14 and 10-35-2-13 of this Title for definitions and requirements.

### 10-27-5 Site and Development Provisions

#### H. Design Review.

All uses except single family and residential duplex units shall be subject to Design Review criteria to insure compatibility and integration with the Mainstreet character, and to encourage revitalization. Architectural design shall be reviewed against the Downtown Architectural Guidelines to determine compatibility, with the exception of solar photovoltaic and solar thermal energy systems as allowed by HB 3516.



## CHAPTER 30: NORTH COMMERCIAL

### 10-30-2: PERMITTED BUILDINGS AND USES:

Animal clinics or grooming facilities (not abutting a residential use or district)

### 10-30-3: BUILDINGS AND USES PERMITTED CONDITIONALLY

Restaurants with drive-thru window (includes drive-ups and drive-ins)

### 10-30-6: DESIGN CRITERIA

B. Roofs: Hipped or gabled roofs are recommended. Flat roofs are permitted only if the roof line is either broken up with vertical treatments such as tower elements or decorative parapets and cornice treatments are provided. Mansard roofs are not permitted. HVAC equipment and other roof-mounted equipment shall be adequately screened or hidden from view from adjacent streets and property, with the exception of solar photovoltaic and solar thermal energy systems as allowed by HB 3516.

## CHAPTER 31: SERVICE INDUSTRIAL

### 10-31-2 Buildings and Uses:

8. Animal Daycare and Overnight Boarding Facility (excludes breeding kennels)

## CHAPTER 34: LANDSCAPING

**10-34-3-4: Landscape Materials.** Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, existing native vegetation, outdoor hardscape features and storm water features, as described below.

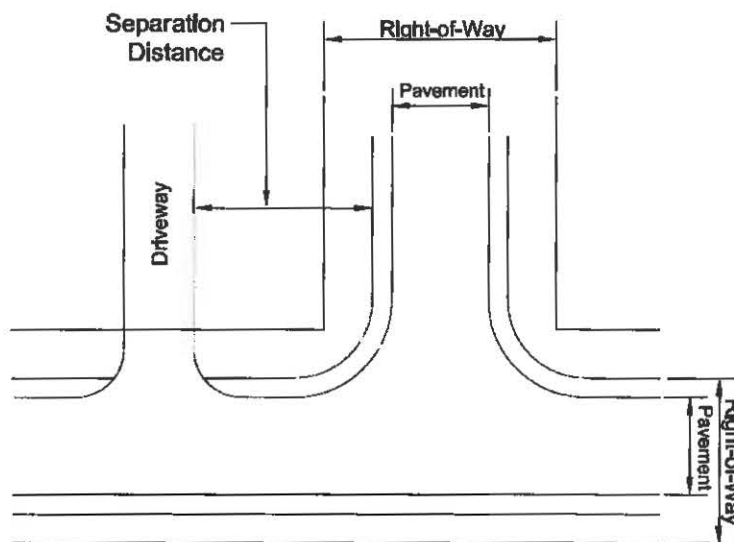
A. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used ~~for all planted areas~~, consistent with the purpose of this Chapter. A suggested *Tree and Plant List for the City of Florence* and the *Sunset Western Garden Book* are available at City Hall. The selection of plant and tree species shall be based upon site conditions such as wind and sun exposure, space limitations, water availability, and drainage conditions. The use of indigenous plants is encouraged, and may be required where exposure, slope or soil conditions warrant.

1. Ground Cover. Ground cover may consist of separate plants or mowed grass turf. Ground cover plant species shall meet the following minimum standards: plants from 4-inch pots shall be spaced a maximum of 18 inches measured on center, and 1-2 gallon size plants shall be spaced a ~~minimum-maximum~~ of 3 feet measured on center.

## CHAPTER 35: ACCESS AND CIRCULATION

**10-35-2-7: Intersection Separation; Backing onto Public Streets.** New and modified accesses shall conform to the following standards:

**Figure 10-35(1): Separation Distance from Driveway to Street**



**[Fix diagram to show accurate location of Right-of-Way]**

**10-35-2-9: Site Circulation.** New developments shall be required to provide a circulation system that accommodates expected traffic on the site. Pedestrian and bicycle connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, trails or paths, must conform to the provisions in Section 103-35-3.

## CHAPTER 36: PUBLIC FACILITIES

### 10-36-1: PURPOSE AND APPLICABILITY

- C. **Engineering Design Criteria, Standard Specifications and Details.** The Standard Specifications for Public Works Construction, Oregon-~~Chapter of the American Public works Association (APWA) Standard Sepecifications for Construction~~, as may be amended by the City of Florence, are incorporated by reference. The design criteria, standard construction specifications and details specified in Title 9 of this Code and those maintained by the Public Works Director, or any other road authority with jurisdiction, shall supersede and supplement the general design standards of this Development Code. The City's specifications, standards, and details are hereby incorporated into this Code by reference.



## CITY OF FLORENCE PLANNING COMMISSION December 13, 2011 \*\* MEETING MINUTES\*\*

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### CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Chairperson Nieberlein opened the meeting of Planning Commission and Design Review Board at 7:01 pm. Roll call: Chairperson Nieberlein, Commissioners Tilton, Wise, Muilenburg and Hoile were present. Commissioners Bare and Peters were absent and excused. Also present: Community Development Director (CDD) Sandra Belson and Senior Planner (SP) Wendy Farley-Campbell.

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#### 1. APPROVAL OF THE AGENDA

The Agenda was approved as presented.

#### 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.*

Chairperson Nieberlein noted there were no public present and therefore no need to go into public comment. She also noted that there was no hearings schedule for that evening and the Planning Commission would be working on discussion items.

#### 3. PLANNING COMMISSION DISCUSSION ITEMS

##### Identification of code amendments to fix current problems with Title 10

Chairperson Nieberlein thanked Commissioner Wise for his review and suggestions to these code amendments.

Commissioner Wise referred to the document that he provided to the Commission and staff, Title 10 Chapter 6 – Design Review and stated that there was only one line that was new legislation; paragraph 8, which states, "the criteria of the individual zoning districts shall prevail where the applicability of this chapter and individual zoning districts conflict." He stated the reason for his suggestion was in the 10 months he had been reviewing applications, on more than one occasion, we have found conflict.

The first one was the octagon building in Old Town. At that time Chairperson Nieberlein and CDD Belson stated that it was their recollection that the intent of the zoning ordinances, that single family and duplex residences, would be subject to Design Review. CDD Belson said the City has recently rewritten the of Old Town zoning district code. There are architectural standards that apply within the downtown area and because of those standards and to ensure compatibility of residential uses in amongst the commercial uses and it would be reasonable to have those go through Design Review and have that additional scrutiny.

CDD Belson agreed that Commissioner Wise' suggestion was a great addition to the code; but she mentioned issues that should be addressed in the Design Review Chapter. There is a listing of different zoning districts that need Design Review and there are cross references. She

suggested eliminating that list and relying on the zoning districts to indicate the need for Design Review.

Commissioner Wise agreed and added that the Design Review Chapter should talk about Design Review and not how you get there. He said there were a few general chapters on non-conforming uses and conditional use permits, but the majority of chapters in Title 10 are zoning districts. He said he left those in there until the Commission had an opportunity to review all of them; although he had taken a quick look through all the zoning districts and in some of them; it was not clear. The Code makes reference to Design Reviews but they are not explicit whether Design Review is required; he thought we could hold off on that.

CDD Belson stated that what was being prepared is for Council is a document for it to initiate the amendment process. The Commission does not need to have the exact language completely worked out for initiation. The Council only initiates the process and does not take formal approval at this time. She said if the Council agrees with the general concepts then staff would do notice requirements, there is the public hearing process and we can find tune as we go. The council had requested some information on solar that came back to them and there is a financial impact in terms of resources and how much staff time it would take. It will be up to the Council as to how much they want staff to take on; they will initiate what ever types of changes they want; then staff will rework it before sending out the notice; given their direction. It would then come to the Planning Commission for public hearing; the Commission would make a recommendation and it would then go to Council for public hearing and final decision.

If the change is that we want to be clear in each zoning district what requires Design Review. Commissioner Wise agreed and said it eliminates paragraph B, F and G.

Commission Muilenburg asked if the wording underlined was added by Commissioner Wise; he replied, yes and the wording with strikeout were the ones he recommended deleting.

Commissioner Wise moved paragraph D, up as it seemed to fit more closely to what shall Design Review, do. He went on to say, he didn't know what paragraph 3 meant; it sounded like it said that the Design Review Board exists in some constant state where it is monitoring things; he said that was not how he understood Design Review; he thought it was activated for a specific purpose.

CDD Belson said the key part of Paragraph 3 is the portion of the 25% addition so if there is an alteration or new construction that is less than 25% of the footprint; it was not necessarily subject to Design Review. Commissioner Wise asked if it was prudent to go back and check which districts that would apply to. CDD Belson said there are some districts where it was very explicit what needs to go to Design Review and in some it was more implied. She didn't know if there were any conflicts in other zoning districts regarding the 25%. She didn't think there was anything in those districts that mentions the 25% specifically; but she was not clear if it states additions are "subject/not subject to" Design Review.

Commissioner Wise added that the 25% rule applies to non-conforming uses. CDD Belson said it was not explicit in the code but staff had been applying the 25% to Conditional Uses; because of the non-conforming use section that states, "if a non-conforming use or structures expanding more than 25% then it kicks it into a Conditional Use permit," and staff felt it shouldn't be any more rigorous for a Conditional Use permit than it is for non-conforming.

Therefore staff had been applying the standard that if there was a Conditional Use you could expand by 25% (as long as it still complied with the conditions of approval) before it had to come back for another Conditional Use Permit approval. She said that staff would like to add that practice to the code.

Commissioner Wise said the difference with the conditional use permit is that it doesn't apply to single family, where non-conforming it does. CDD Belson said there is a possibility that a conditional use it could apply to single family such as in commercial districts.

Chairperson Nieberlein referred to number 3 where it mentions monitoring; she asked what "monitoring."

CDD Belson said it appeared that we should keep the 25% in there and in non-conforming we would add it to conditional unless anyone sees a reason why we wouldn't, we would keep it in Design Review and that paragraph would have to be reworded, so that's all it's talking about. By head nodding, PC agreed with CDD Belson's recommendation.

CDD Belson asked for clarification that paragraph B would be removed and she suggested that paragraph C should also be deleted because it would be covered in the zoning districts. Paragraph A-3 would be left in and move some of the "use" idea to paragraph A-3. SP Farley-Campbell agreed and said you would not want to lose the "use" as a staff review.

CDD Belson said Chapter 1 – Administration Section – defines what types of changes can be handled administratively. This section was added in a package of amendments handled by Planner Anderson. They are defined as change of use from less intensive to greater intensive and we speak as to how that is measured in terms of square footage; parking space requirements; if it is residential, the density can increase by 10%.

Commissioner Muilenburg expressed his concern that it could cost someone a lot of money for no reason; for example if you are changing from retail to a restaurant where you are going to require more parking spaces; he would understand that. But from one use, same parking space to another use, as a property owner he felt he shouldn't have to.

CDD Belson responded that the change of use would have to trigger a site impact such as increased parking or building expansion for it to require a land use process. CDD Belson said staff would move "use" up into that paragraph 3 and possibly add a reference to that section in Chapter 1 that defines that change in use. SP Farley-Campbell said if it was moved up into 3 it would say that "The Design Review Board shall," so it makes the change of use a Design Review action which she didn't think that was what was wanted. CDD Belson said in some cases it would be; there are some changes in terms of intensity and there are some changes that could be approved administratively and other changes that would kick into Design Review Board.

#### **Title 10 Chapter 8 – Nonconforming Uses**

Commissioner Wise said that these proposed changes were the result of reviews that the Commission had done. He referred to the document that he had submitted and said that one does not get to rebuild a structure under non-conforming uses if what you are starting with is vacant land, even if there was previously a house on the property; the moment that the



structure was destroyed it could not be restored but "removed," and no longer a non-conforming use.

CDD Belson agreed that there were problems with this particular chapter. She went on to say that what Chapter 4 usually states in most cities; "if it burned down, or there was a major catastrophic event, natural cause and not manmade, that people have the right to be able to build back to what was there before, assuming that it had been legal in the first place." She added that it might be non-conforming but it was legal. She said she thought that needed to stay; because otherwise you are taking away people's ability to do something on the property and it becomes a real hardship on people.

Commissioner Muilenburg agreed and said it was just like the one they just did. CDD Belson said if they had built back what was there it wouldn't have been a problem; the reason it needed to be conditional use is because they built a much larger house. She said they therefore obtained a conditional use permit and the house is not considered to be "non-conforming." Commissioner Muilenburg said the language in the proposed changes prohibits that, and would have eliminated that property owner the opportunity to rebuild the way they are.

Commissioner Wise said in his opinion there was very little difference between a vacant lot and a lot where there was a non-conforming use that had been in its entirety, removed.

Vice Chairperson Tilton said he felt that concern was what was they were talking about.

Commissioner Muilenburg referred to paragraph 32-34, where it talks about structures and not about a lot itself. CDD Belson agreed with the suggestion to replace the word, "replacement" with "restoration" because that is how it is used later in the code and that was an important distinction.

Commissioner Wise said personally, "restoration" means to put it back the way it was, "replacement", means to put something new there and does not give the restraint of "saying you can't go from 700' to 1,500' and say you're just replacing a non-conforming building. If you want to go more that 25% of the original, then you have to have a conditional use permit.

Chairperson Nieberlein asked if she owned a house in the commercial district (non-conforming use) and it burned down and she sold the lot, would the purchaser have to build according to the zone as it goes with the structure and not with the lot.

CDD Belson said it has nothing to do if it is sold; the only issue is the 6 months timing. That house could be rebuilt within 6 months. CDD Belson said in other towns, it's usually a year, but Florence's code only allows 6 months.

Commissioner Muilenburg said he can see a problem if it's not sold or rebuilt within the time limit then the new owner can't build a house. CDD Belson said houses are allowed as conditional uses in some areas. But the property north of town, in the Service Industrial District for example, if that house was destroyed by natural causes, it would have to be rebuilt within 6 months otherwise a house could not be rebuilt there.

The Commissioners asked the process that needed to happen for the property owner to make that time line. Chairperson Nieberlein read from 10-8-4, 23, "Restoration shall be commenced within six (6) months...."

Commissioner Wise said in other districts, "commenced" means putting in a foundation.

Chairperson Nieberlein asked if that shouldn't be stated in the code. CDD Belson said she remembered the attorney had provided the city with an analysis of this code and how it applied to the situation that was before the planning commission. She asked the attorney for assistance in rewording this chapter and she would discuss these questions with him. She thought he would agree with the terminology of "restored." Commissioner Wise referred to page 3 of the document and lines 11, 12 and stated that the second sentence should be removed.

CDD Belson said she would talk to the attorney about the definition and if we need to be more specific about the timing of 6 months. Vice Chairperson Tilton said the 6 month time line should be seriously considered and if they wanted to change it to a year as 6 months is a very short time line to get everything together.

The Commissioners agreed to change line 23 of the document to one year (1) and to leave 6 months as the extension on line 25.

CDD Belson referred to line 27 – Abandonment – for example, Viking Redi Mix has been there for a long time; residences have grown up around them and they are not allowed in that zone. If they cease operations - that would be abandonment. If they had illness, the business shut down and someone else was going to buy it, and it took a while for before they could restart, how long would you want to give them before they can not put that use back? Right now it's 6 months.

The Commissioners discussed the differences of abandonment of commercial and residences; bringing up the safety factor with commercial businesses. CDD Belson referred to the home in "Service Industrial" and if the owner stops occupying the house and is not there for 6 months; should that house be able to be used as a residence after 6 months?

Chairperson Nieberlein said she did not have a problem with a residence, but she did with commercial property. CDD Belson said she did not think a distinction could be made. CDD Belson said there are other conditions in the building code as an attractive nuisance to deal with her concerns.

Vice Chairperson Tilton was comfortable with a year; Commissioner Hoile thought a year was too long. Commissioner Muilenburg asked if it was 6 consecutive months; it was decided it was 6 out of twelve. SP Farley-Campbell said since she had been with the city she did not ever recall utilizing this section of code. Chairperson Nieberlein thought it was important to be clear on this; for instance, if a house burned down, after a month or two; staff contacted the property owner as they knew it was in a commercial district and decisions had to be made in a timeline.

CDD Belson summarized that line 27 would remain the same – she could ask the attorney about the language, it was not a legal question as to the time line.

CDD Belson gave the scenario of business that does not have onsite parking. The store closes down; it is closed for 6 months out of 12 months – and they now want to put it back – they have now lost the ability to do that because they don't meet code, the use is non-conforming; they don't have the on-site parking that is required.

Another scenario; if you have a restaurant that converts to retail, it's still being used, they want to convert back to restaurant - they cannot; they've lost that restaurant ability because they don't have the parking, even though they may have continued to use the building; and have a business there. It's not being a restaurant that requires the parking. If the building is for sale for over 6 months, the owners would lose the ability to reopen, unless they could re-rent the building.

CDD Belson said the question is, "how important is it to get things to comply with code versus how many rights are you giving the property owners who have an investment." You are balancing the rights of the property owner versus getting more compliance with community expectations.

Chairperson Nieberlein said she didn't have a problem with it as long as there are other ways to deal with the safety issues and then take and make two sentences out of that paragraph. So it reads, "Non-conforming use for any six (6) months out of every twelve (12) consecutive months shall constitute abandonment." Take out the "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 it is located."

Commissioner Muilenburg said if a person has a piece of property, it was a restaurant and now it is rented out as retail; he didn't consider that abandonment. CDD Belson said they abandoned the non-conforming restaurant use, the lack of parking made it non-conforming.

It was the consensus of the Planning Commission to change the wording to "six consecutive months," and make it two sentences on paragraph 16.

CDD Belson said the Planning Commission has to determine if the continuation of a non-conformation use is a public health hazard or detrimental to the health, safety, and welfare of the community. Referring to 10-8-4 – Destruction of Nonconforming Buildings, she said it was not clear what process would be used by the Planning Commission to make that determination. For instance if a house burns down and the owners want to build it back to what it was before; her inclination would normally be to issue a building permit, unless we have complaints about the house. In this section it says that Planning Commission determines...and she felt that was problematic and was one of the questions for the attorney.

CDD Belson said the problem with this chapter was that it mixed the terms non-conforming uses, structures, and lots; and they are not all the same thing.

#### **Comments on Fire District's application for Adjustment to Sign Code**

Chairperson Nieberlein noted that this topic was only a discussion item because the sign code was no longer under the jurisdiction of the planning commission. She said it would be going before the City Council's January 3, 2012 meeting.



Commissioner Muilenburg asked how changing image terminology was missed in the Commercial District. He said he thought it had been discussed that they did not want changing image signs in Florence, especially on Highway 101. Chairperson Nieberlein asked if the Planning Commission left out the terminology or did the City Council take it out.

Commissioner Muilenburg said that each district in the sign code, except Commercial, states that changing image signs are prohibited. He said if the Fire District's sign only had words or numbers, it would be considered a reader board. He noted, however, that the sign does display an image of an American Flag which Commissioner Muilenburg said classified it as a changing image sign. He said the sign would be okay if it was only a reader board.

Chairperson Nieberlein stated she had a problem with the color red used on the sign, commenting that it could possibly be confused for brake lights. She said she doesn't think red should be used on signs.

Commissioner Wise stated that he didn't think what the Fire District was asking for had anything to do with an adjustment. He said the Fire District wasn't requesting to move the sign and there was no hardship associated with the sign. He reiterated that he didn't think that request met the criteria for an adjustment. Commissioner Muilenburg commented that having the message change frequently would not provide drivers enough time to read the sign's message. Vice Chairperson Tilton said he believed the Fire District was actually decreasing public safety by having the messages change too frequently and he thought the message could be more effective if it was left up for an hour. Chairperson Nieberlein brought up that there is a condition of approval on the Fire Hall regarding landscaping and that some of that landscaping was removed when the sign was installed; that was a Planning Commission concern. Vice Chairperson Tilton agreed.

Commissioner Wise said there was another problem as the code stated, "That no light source shall create an undue distraction or hazardous condition for motorists, pedestrians or the general public." He said the Fire District's stated objectives were "to get the public's attention and then seconds later we will provide them with a safety message on a road closure or notification on an upcoming safety matter, increasing your survivability plan..."

Commissioner Wise said the District also said "the more information we can impart to the public in the time it takes to approach the display, the better." Commissioner Muilenburg commented that he didn't consider drivers trying to read the sign from the time they approach it to when they pass as safe. Chairperson Nieberlein commented that there is also the flashing pedestrian crossing near the Fire Hall, so there is a lot going on in that area. She didn't believe drivers should be trying to read a board while dealing with everything else in that area.

Commissioner Wise asked if anyone in the Commercial Sign District could put up changing image signs.

Vice Chairperson Tilton said the problem is that the sign changes messages more than once an hour, which is not allowed by the Sign Code. He said one of his concerns is that when the PC had looked at constitutionality issues while working on the Sign Code, they found they could not dictate content. Vice Chairperson Tilton said he was worried that a precedent would be set where others could put up signs with messages changing more than once an hour. He noted

that the Fire District stated it was the only public entity in that area, so it would not be an issue with other businesses.

Chairperson Nieberlein said that she thought public agencies should be held to the same standard as anyone else in the community. Commissioner Wise commented that if this sign is truly about public safety, it should take the whole city into account. He said he saw no evidence that the City Emergency Management team was consulted first. Commissioner Wise said he thought the sign should be "static" and if there is an emergency, the city should "turn a blind eye" to the fact (the sign) is changing more frequently.

Vice Chairperson Tilton said he looked at the Sign Code and it stated "protect the health, safety, property and welfare of the public." He commented that he didn't think the sign does that, and he thought the sign degrades it. Vice Chairperson Tilton asked if they allowed the sign to change messages more than once per hour, would it set a precedent for other signs?

CDD Belson said she would be writing the staff report for the city council on this adjustment request and the options she was thinking of presenting were:

1. Change the Code, allowing others in the Commercial Zoning District the same rights.
2. Stating the Fire District has to comply with the Code unless there is a declared emergency, which would allow them to change the image on the sign more frequently in order to get out necessary messages.
3. Not granting the adjustment and hold the District to the Code's standards.
4. Granting the District the adjustment and not have it apply to any other businesses and property owners.

CDD Belson noted that this is a Council decision, not a land use decision which could be appealed. Vice Chairperson Tilton asked if the Council has to decide if the adjustment request meets the criteria in the code before making a decision. CDD Belson said, to her, the frequency of change on the sign is considered a numeric adjustment and that was why she thought the District could ask for an adjustment, although she admitted she was reading it "in a more generous sense."

Commissioner Muilenburg said that the issue is whether the District would be allowed to make letters and symbols changes or can they change their image. CDD Belson said staff went over the minutes from the Sign Code work sessions and, at one point, there was discussion about how frequently the images should be allowed to change. She said it was then they decided they would check in with the School District and find out how frequently they would want their images to change. CDD Belson said it was not clear in the minutes whether anybody ever did check in with the School District.

Vice Chairperson Tilton said when he reads the criteria for adjustments; he thought numerical adjustments referred to where the sign was located or for how high the sign was. Chairperson Nieberlein said she has great deal of respect for the Fire Department and the Fire Chief, noting they give an inordinate amount of personal time for training, etc. She noted that this wasn't anything personal against the fire department; she just would like them to abide by the same rules as everyone else.

Vice Chairperson Tilton asked if the Commission wanted to draft written comments for the Council's January 3<sup>rd</sup> meeting. It was decided that Vice Chairperson Tilton would do a draft letter. Chairperson Nieberlein would review the letter before signing it.

Commissioner Muilenburg said he doesn't have a problem with the image changing more than once an hour, as long as it's reasonable. He said his problem was with drivers trying to read a sign that's constantly changing. Vice Chairperson Tilton said he thought once an hour was sufficient and would actually be more effective. Commissioners agreed that they found the color red on the sign distracting, particularly in the area where the sign is located.

#### **4. DIRECTOR'S REPORT**

CDD Belson reported that there would be a Transportation Open House at the Florence Events Center February 1<sup>st</sup> 4 to 6:30 pm. She said a draft transportation plan would be completed by that date.

#### **5. CALENDAR**

#### **ADJOURNMENT**

**With no further business Chairperson Nieberlein closed the meeting at 9:18 p.m.**

APPROVED BY THE FLORENCE PLANNING COMMISSION ON THE 28 DAY OF  
February 2012

**FLORENCE PLANNING COMMISSION**

  
JAN NIEBERLEIN, CHAIRPERSON



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**City of Florence  
City Council Minutes  
November 21, 2011**

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

Mayor Brubaker opened the regular council meeting at 7:00 p.m. with the pledge of allegiance. Other members present included Council President Nola Xavier, Council Vice President Suzanne Roberts and Councilor Brian Jagoe. Councilor Paul Holman was absent. Staff in attendance included Assistant City Manager Jacque Betz, Community Development Director Sandra Belson, Public Works Director Mike Miller, Florence Events Center Director Kevin Rhodes, and City Recorder Kelli Weese.

**APPROVAL OF AGENDA**

Mayor Brubaker proposed to move agenda item number seven concerning the Florence Events Center (FEC) Emergency Generator to before the public comment period in order to allow as many viewers to see that agenda item as possible. The City Council agreed.

**REPORT ITEMS**

**FLORENCE EVENTS CENTER EMERGENCY GENERATOR**

*Events Center Director Kevin Rhodes and Public Works Director Mike Miller will provide Council with an update on the FEC Emergency Generator purchase and installation.*

FEC Director Rhodes introduced topic. He said the generator had been a FEC goal for as long as he could remember, and they were able to achieve it due to a homeland security grant, the Friends of the FEC, and a grant from City County Insurance Services. FEC Dir. Rhodes presented a PowerPoint of pictures showing the evolution of the generator. *(Attachment 1)*

Mayor Brubaker said the generator will go on within eight seconds during a power failure and had more than sufficient power to run the FEC. FEC Dir. Rhodes said the generator had the capacity to run the FEC, but they were looking to expand those capabilities with additional transfer switches. Mayor Brubaker thanked all those who contributed both in dollars and in time and was grateful that Florence now had a true evacuation center. Councilor Roberts thanked the Friends of the FEC for their wonderful support of the FEC and the generator project.

## **PUBLIC COMMENTS**

*Mayor Brubaker explained that this was a time in the meeting that offered an opportunity for anyone in the audience who would like to address the council for a maximum of three (3) minutes for any item not otherwise listed on the agenda.*

### **John Robertson – 4385 Rhododendron Drive, Florence, OR**

Mr. Robertson said he felt the conversation the City Council had at their last meeting concerning the parks budget constraints was a great start to the process, but he was concerned about the rendition of the conversation by the Siuslaw News. He said he had been in verbal communication with his neighbors in Coast Guard estates and they were very ready to take over Hurd Park.

Mr. Robertson said governments were running out of money at all levels from federal to local. He said he was a small businessman and quite a few small businesses have left town in recent years because of the economy. He requested the Council look at civil servants and cut expenses where they can be cut, as well as any other expenses that the City can deem unnecessary.

### **Robert Maguire – 88224 Shoreline Drive, Florence, OR 97439**

Mr. Maguire said the veterans taking care of the veteran's memorial park and wall would like to put up another panel of memorial bricks, but have been told that they would be required to spend \$600 for a special use permit in order to do so. He said they built the park and walls in 2008 and had plans/drawings approved at that time so he didn't understand why they needed to pay for an additional permit to place another wall where one was planned for placement in the first place.

## **CONSENT AGENDA**

### **MINUTES**

*Consider approval of the regular council meeting minutes of November 7, 2011.*

### **2011 AUDIT ENGAGEMENT CONTRACT**

*Consider ratification of the City Manager's execution of the May 5, 2011 audit engagement letter and audit contract.*

### **LETTER TO LANE COUNTY BOARD OF COMMISSIONERS**

*Consider ratification of the Community Development Director's letter to the Lane County Board of Commissioners dated November 16, 2011.*

Mayor Brubaker moved to approve the consent agenda which included: Approval of the minutes of the November 7, 2011 City Council meeting; Ratification of the City Manager's execution of the May 5, 2011 audit engagement letter and audit contract; and Ratification of the Community Development Director's letter to the Lane County Board of Commissioners dated November 16, 2011. Second by Councilor Roberts, by voice votes

Councilors Jagoe, Xavier, Roberts, and Mayor Brubaker voted "Aye". Councilor Holman was absent. Motion carried 4-0.

## **REPORT ITEMS**

### **SIUSLAW INTERPRETIVE CENTER UPDATE**

*Assistant City Manager Jacque Betz and Public Works Director Mike Miller will provide Council with an update on the Siuslaw Interpretive Center project.*

ACM Betz introduced topic and PWD Miller presented a PowerPoint (Attachment 2).

Councilor Xavier asked how the parking area under the bridge would be paved. PWD Miller said it was proposed to be paved with standard asphalt with a mechanical device installed to treat stormwater. He said mechanical treatment seemed to be the best alternative because the parking was so close to the estuary but they would look into pervious pavement and other options as they got further into the project.

Councilor Jagoe asked how much maintenance the trees and landscaping would require. He said the City was struggling to take care of their parks now and didn't want to add any more maintenance. PWD Miller said it was important to remember that the interpretive center was not a park, but they were looking into landscaping and trees that would require little maintenance. Councilor Jagoe said he was also concerned about the tree height because the people in old town were very protective of the view of the bridge/river.

Mayor Brubaker said it was important to remember that the interpretive center was a wayside, not a park, because ODOT was the one funding the development.

Councilor Jagoe asked if the decking would be low maintenance. PWD Miller said there were certain requirements of the materials because they were so close to the estuary, but they were looking into composite decking which is very low maintenance. He said this decking would go onto a piling system.

ACM Betz said Mr. Ron Hoagland and volunteers who have adopted Old Town park, were very supportive of the project and staff were looking to see how much involvement they might have with maintenance of the Siuslaw Interpretive Center. She said they would also be meeting with them to determine how many, and what types of interpretive signs they would need, and bringing suggestions back to the Council for approval. She said they could also discuss possible changes to the name of the project at those later dates.

Councilor Roberts said it was a shame that they had such a long time to wait until the project was completed, but she understood that they had to deal with other agencies and their timeframes. ACM Betz said they were looking to time the construction of the interpretive center with the urban renewal infrastructure project so the two would complement each other.



## **UPDATE ON APPROVED BILLS FROM THE 2011 LEGISLATIVE SESSION**

*Assistant City Manager Jacque Betz will provide a report to the Council on City bills from the 2011 Oregon State Legislative Session that need to be reviewed for awareness and possible future action.*

ACM Betz introduced the topic with info from the staff report. She said in regards to solar Bill HB 3516, CDD Belson recommended amendments to the City Code to allow outright land use approval. Thus, the City Council could give direction that evening on the beginning of that code change process. She said they just received the League of Oregon cities local focus newsletter that stated that the Court fine bill might not be going into effect on January 1<sup>st</sup>, 2012.

Councilor Jagoe asked about HB 3207 concerning interviews for veterans, and asked how the City would implement that new bill. ACM Betz said they would ask for applicants to indicate their military experience in their application, but they could not ask applicants if they were disabled. She said the City was hoping for details from the state on how to best implement the special veterans' preference. Councilor Jagoe said he was glad the City was looking into it.

Mayor Brubaker said the residential and commercial solar bill was set to be effective at the beginning of the year and would require a code amendment. He said it seemed like a simple code amendment and CDD Belson had provided much of the language. Mayor Brubaker asked staff to proceed with the code amendment so that it would be ready as soon as possible. The City Council agreed.

Councilor Roberts thanked staff for their hard work. Mayor Brubaker thanked the League of Oregon cities for their assistance in reporting the amendment to Cities.

## **MONTHLY REPORTS**

*Review monthly reports submitted by department heads*

The City Council discussed the hard work of the Environmental Management Advisory Committee, work on the Ford Leadership project by Assistant Planner Michelle Pezley, Public Work's meeting with Rexius and Biosolids regulation by the Department of Environmental Quality, the Community Development Departments comments on the Church on the Rock county land use application, the recreational trail program grant, the memorandum to Lane County by CDD Belson and her possible staff involvement at the County meeting, parking enforcement seasonality, trying to control overtime expenses, and the sewer extension up Oak Street.

## **CITY MANAGER REPORT**

- ACM Betz – November 2011 "Focus on Florence" Newsletter

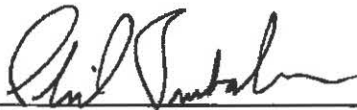
ACM Betz gave an overview of this month's newsletter and said staff would provide the newsletter in the Council's packet every month. Councilor Xavier said they needed to remove the Florence Urban Renewal Agency meeting from the November calendar because it had been cancelled.

ACM Betz provided the Council with an update on the Spruce Village and Cannery Station subdivision approvals.

### **MAYOR AND COUNCIL REPORTS**

The City Council discussed how to get a hold of councilors including calling their home numbers, calling City Hall, and emailing, and the RTMP email from Lane County.

With no further business, Mayor Brubaker adjourned the meeting at 8:10 p.m.

  
Phil Brubaker, Mayor

**ATTEST:**

  
Kelli Weese, City Recorder

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**City of Florence  
City Council Minutes  
December 19, 2011**

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

Mayor Brubaker opened the regular council meeting at 7:00 p.m. with the pledge of allegiance. Other members present included Council President Nola Xavier, Council Vice President Suzanne Roberts, Councilor Brian Jagoe, and Councilor Paul Holman. Staff in attendance included City Manager Robert Willoughby, Assistant City Manager Jacque Betz, Florence Events Center Director Kevin Rhodes, Community Development Director Sandra Belson, Public Works Director Mike Miller, Finance Director Erin Reynolds, Executive Assistant Shawn Penrod, and City Recorder Kelli Weese.

**APPROVAL OF AGENDA**

Mayor Brubaker recommended they remove agenda item #10 concerning the Solid Waste Rate Review because the consultant determined that they did not need input from the Council for this phase of the study. The City Council agreed. CM Willoughby said a workshop will be scheduled for February to go into the topic in detail.

**PUBLIC COMMENTS**

*Mayor Brubaker explained that this was a time in the meeting that offered an opportunity for anyone in the audience who would like to address the council for a maximum of three (3) minutes for any item not otherwise listed on the agenda.*

**Mark Tilton – 87868 Limpit Lane, Florence, OR 97439**

Mr. Tilton commended the City Employees and the City itself for the new newsletter. He said controversy was often a result of misunderstanding and hopefully the new newsletter would help relieve some of those concerns. Mayor Brubaker said the newsletter would not be mailed out in utility bills but was available at City Hall, the library, and on the City's website.

**EMPLOYEE RECOGNITION**

*City Manager – Bob Willoughby*

Mayor Brubaker introduced departing City Manager Bob Willoughby and thanked him for his five years of exemplary service to the City.

**CONSENT AGENDA**

**MINUTES**

*Consider approval of the regular council meeting minutes of December 5, 2011.*



**CASELLE CLARITY ACCOUNTING SYSTEM PROPOSAL**

*Consider authorizing the City Manager to sign a contract with Caselle for upgrades to the City's accounting software in the amount of \$69,712.*

**VoIP EQUIPMENT AND DIGITAL RECORDER SYSTEM PROPOSAL**

*Consider authorizing the City Manager to sign a contract with WesTek Marketing for upgrades to the City's phone system in the amount of \$95,002.*

**LIQUOR LICENSE**

*Consider approval of a change of ownership / management liquor license application for 7-Eleven located at 1560 9<sup>th</sup> Street, as submitted by Balwir Jutla.*

**CHANGE OF AUTHORIZED SIGNERS FOR CITY OF FLORENCE BANK ACCOUNT**

*Consider removal of Bob Willoughby, City Manager; addition of Erin Reynolds, Finance Director; and change of Jacque Morgan, Assistant City Manager to Jacque Betz, as authorized signers on the City of Florence bank account at Oregon Pacific Bank.*

Councilor Holman moved to approve the consent agenda which included the minutes of the December 5, 2011 City Council meeting; Approval of Caselle Clarity Proposal; Approval of VoIP equipment proposal; Approval of change of ownership / management liquor license; and change of authorized signatures on city bank account. Second by Councilor Jagoe, by voice all ayes motion carried unanimously.

**ACTION ITEMS****CITY MANAGER EMPLOYMENT CONTRACT**

*Consider authorizing Mayor Brubaker to sign an Employment Agreement with current Assistant City Manager Jacque M. Betz, appointing Ms. Betz to the office of City Manager effective January 1, 2012.*

Mayor Brubaker introduced the item and discussed the contract writing process.

Councilor Roberts moved to authorize the mayor to sign an Employment Agreement with current Assistant City Manager Jacque M. Betz. Second by Councilor Holman, by voice all ayes motion carried unanimously.

**2012 GOAL SETTING PROCESS****A. DEPARTMENT HEAD GOAL SETTING REPORT TO COUNCIL**

*Review and consider Staff's recommendations on the 2012 City Council goals*

City Department heads discussed their goals as shown in the staff report.

## **B. CITY COUNCIL GOAL SETTING**

### *Discuss and decide on City Council goals for 2012*

Mayor Brubaker asked if any member of the audience wished to speak, he then asked for Councilor input.

Councilor Jagoe asked about the EPA and TGM grants. He asked what the costs would be for the City to continue with those projects. CDD Belson said there would be no additional costs to the City, they were simply looking to continue carrying out their approved contract timelines in 2012. Councilor Jagoe asked how much those were costing the City currently. CDD Belson said the TGM grant required a match of 10.87% but they were offering approximately 20%, and the EPA grant was for \$600,000 and the city was funding about \$250,000. She said both grants had soft matches which meant they were primarily staff time. Mayor Brubaker said both projects were expected to conclude in 2012.

Mayor Brubaker said the City really needed to do a cost analysis of those programs to get a sense of what they were to cost the City to continue into the future. CDD Belson clarified that the TSP project would not continue beyond the grant requirement; however the Siuslaw Estuary Partnership would require direction from the Council on if they should seek additional grant resources to continue those programs.

ACM Betz said they recently implemented a grant policy in 2012 and as part of that implementation they would bring grant proposals to the Council before expending significant staff time on them, and then back for approval before accepting the grants. She said in addition, agenda item summaries will have an additional section for relevancy to Council goals.

Mayor Brubaker said with regards to Public Works goal #2 and Community Development Department goal #3 concerning yard debris and biosolids. He asked if their inability to use yard debris for biosolids would effect the viability of a yard debris pick up program. He asked if it was possible to continue both goals independently. PWD Miller said there was quite a bit of yard debris going into the waste stream that could come out and they could seek funding from programs that sought to reduce the amount of materials going into the landfill.

Councilor Xavier asked about the City Wellness program goal. ACM Betz said they were looking to prepare and implement a City wellness policy to encourage physical fitness and health at the City in order to have healthy productive employees. CM Willoughby said the program would be funded by a grant and the only costs would be for staff time.

Mayor Brubaker said the Heceta Water Board was adamant that they will not consider a joint service agreement that would involve the completion of the Florence Comprehensive Plan regarding the Commercial and Industrial properties on Hwy 101. He said he was under the understanding that Heceta Water District intends to form a PUD and he felt the City needed to understand

the ramifications of that decision on the City's customer base in order to protect their own water enterprise in the Florence area. He said he understood that this might involve time with the attorney but they needed to be as informed as possible.

Mayor Brubaker said the Council has made it clear that they do not intend to take any more Heceta Water District customers other than that which would ultimately occur through the annexation and upgrading of those commercial/industrial properties along the highway. The process of which this would take place would be initiated by a property owner or new property owner request in order to have sufficient water service, so it is not something that would be accompanied by a plan to proceed, but really to understand and protect our comprehensive planning in that area.

Mayor Brubaker requested the Council add Heceta Water District research as a new Council goal, and otherwise make no other additions to the goals. The City Council agreed.

#### **INITIATION OF MISCELLANEOUS TITLE 10 ZONING CODE AMENDMENTS**

*Consider initiation of code amendments to Title 10, Chapters 1, 2, 4, 5, 6, 8, 15, 16, 17, 18, 19, 22, 23, 25, 27, 30, 31, 34, 35 and 36. Proposed amendments concern HB 3516 Residential and Commercial Solar Bill, expansion of uses, extension of time frames, and improving processes.*

Sandra discussed Solar Bill HB 3516 and discussed the information in the staff report. The Council went through pages 1 through 3 of the changes shown in the staff report and discussed each item.

The City Council agreed to the amendments in 10-1-1-6, 10-1-1-7, 10-1-5, 10-2-6, and 10-4-2. The Council agreed to the amendments in 10-4-8-B with the amendment of the timeframe from six to twelve months. The Council agreed that they did not want to allow animal clinics on lands adjacent to residential uses and thus removed the changes in 10-4-11. The Council agreed to the changes in 10-5-7. The Council agreed to the goal behind the changes of 10-6-3 changes but felt additional wordsmith was required and suggested they add the phrase, "When required by the underling zoning district." To 10-6-3A.

Mayor Brubaker said he would like to take more time to wordsmith the changes before they are initiated. The Council discussed the format they would like to see in the next staff report. Mayor Brubaker recommended the do a workshop format to discuss the code changes, and suggested they invite the Planning Commission. The City Council agreed.



## **HB 2865 CONCERNING PERSONAL MANAGE CLAIM LIABILITY**

*Consider approval of Resolution No. 27, Series 2011, a resolution establishing immunity from certain personal damage claims described in House Bill 2865 (2011)*

CM Willoughby discussed the resolution as shown in the staff report. Councilor Xavier recommended they change the date in the Resolution to December instead of November.

Councilor Roberts moved to initiate the proposed amendments to the City Code as proposed. Second by Councilor Holman, by voice all ayes motion carried unanimously.

## **RECREATIONAL TRAILS PROGRAM GRANT**

*Consider authorizing staff to submit an application for the Recreational Trails Program offered by the Oregon State Parks and Recreation Department.*

CDD Belson introduced the topic and provided information available in the staff report.

Councilor Jagoe moved to not seek the grant and leave the money in the street fund. Second by Councilor Roberts. Councilor Roberts said it was important that they curtail grants at this time.

Councilor Xavier asked how much the \$40,000 would mean to the street fund. PWD Miller said \$40,000 represented about a block of an overlay project. He said it represented about 20% of their overlay funds.

CDD Belson said it was rare to be able to find a grant that would give you a 5% funding match, most grants required at least 10%.

Councilor Xavier said they would be giving up about a block of paving for a bicycle path that they have had in their plan for years. She felt they would be leveraging the money much better with this grant. Mayor Brubaker agreed that they received a lot more for the money with the grant.

## **John Murphy – Budget Committee Chairperson**

Mr. Murphy said they had been postponing streets a block at a time for years.

Councilor Jagoe withdrew his motion to not seek the grant money.

Mayor Brubaker moved to authorize submittal of an application to support Option 1 – Rhododendron Drive Multi-Use Path from 9<sup>th</sup> Street to Wild winds, but not for the project without the TE funds. Second by Councilor Xavier, by voice Councilors Xavier, Roberts, Holman, and Mayor Brubaker voted "Aye", Councilor Jagoe voted "Nay". Motion carried 4-1.

Councilor Holman moved to not apply for the Trail Map and Signage option. Second by Councilor Jagoe, by voice all ayes motion carried unanimously.

## **REPORTS**

### **MONTHLY REPORTS FROM DEPARTMENT HEADS**

The City Council discussed business license renewals, the Territorial Sea Plan, the dialysis clinic status, Florence Events Center Advisory Committee meeting listings, property value decreases in last three years, the bus stop in front of City Hall, and the Code Enforcement officer position.

Mayor Brubaker said with regards to the Lane County Board of Commissioners meeting at the Florence Events Center he felt the Council had made its position clear that what the City has submitted as far as the Comprehensive Plan's annexation policies still stands. He said Florence will not be amendable to any motion that would be tantamount to changing state law, which was what the recommendations from Lane County would do. He felt the City could express that message to Lane County before that meeting in a friendly and cooperative way, so that way they were aware of Florence's intentions so there were no surprises.

### **CITY MANAGER REPORT**

- *December 2011 – "Focus on Florence" Newsletter*

ACM Betz discussed the transient room tax meeting with Lane County Board of commissioners.

ACM Betz will come back to city council with a report on reorganizations at city hall during the next Council meeting.

ACM Betz said Public Works is working on ways of getting volunteers for parks and has been working with Ms. Erin Linton on putting a new play structure at 18<sup>th</sup> Street pocket park and having them adopt the park. She said staff will present a report on the developments at next council meeting.

### **MAYOR AND COUNCIL REPORTS**

- *Council court observation date assignment*

CR Weese verified the dates for the Council to observe the court in 2012.

Mayor Brubaker said the airport volunteers were off to a good start particularly with their strong leader Mr. Paul Thompson.

Mayor Brubaker said they have a bear problem in Florence and he has been working with their future City Manager to make sure they have follow-up on that issue.

Councilor Xavier said the Florence Urban Renewal Agency will meet on Wednesday night at 6:30 p.m.

The Council thanked CM Willoughby for his work with the City and wished him luck in Silverton.

With no further business, Mayor Brubaker adjourned the meeting at 9:14 p.m.

  
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Phil Brubaker, Mayor

**ATTEST:**

  
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Kelli Weese, City Recorder



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**City of Florence  
City Council Worksession Minutes  
February 6, 2012**

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

Mayor Brubaker opened the council worksession at 6:35 p.m. Other members present included Council President Nola Xavier, Council Vice President Suzanne Roberts, Councilor Paul Holman and Councilor Brian Jagoe. Planning Commissioners in attendance included Planning Commission Chairperson Jan Nieberlein, Commissioner Mark Tilton and Commissioner Joseph Wise. Staff in attendance included Community Development Director Sandra Belson and City Recorder Kelli Weese. Public in attendance included Pat Reno who arrived at 6:50 p.m.

**LAND USE CODE AMENDMENTS WORK SESSION**

*The Council will hold a work session to review proposed Land Use Code amendments to Title 10 Chapters 1, 2, 4, 5, 6, 8, 15, 16, 17, 18, 19, 22, 23, 25, 27, 30, 31, 34, 35, and 36. Proposed amendments concern HB 3516 Residential and Commercial Solar Bill, expansion of Uses, extension of time frames, and improving processes. (Discussion continued from 12-19-11 City Council Meeting)*

Council, Commission, and Staff in attendance discussed how to proceed with the code amendment discussion and decided to talk about the proposals in the order presented in the attachment included in the Council packet (*Attachment 1*). The City Council discussed how the proposed amendments were determined including the Planning Commission's input.

**CHAPTER 1: ZONING REGULATIONS**

**10-1-1-6: Administrative Review**

The City Council agreed to the proposed changes.

**10-1-1-7: Appeals**

Councilor Jagoe said the additions to section 'E' concerned him because he felt appeal applicants should be able to bring up multiple items during their appeal. CDD Belson said appeal applicants could appeal a decision based on multiple items, but any additional issues could not be brought up outside of the written appeal. She gave examples of when those situations would occur and said to allow issues outside of the appeal was a policy decision. Councilor Roberts said opening up the appeals to all items would be an administrative nightmare. The City Council discussed the issue and agreed to the proposed code amendments as shown.

Commissioner Wise said he felt section 'A' was not enforceable and unfair because the Council/Planning Commission didn't give any warning to the fact that if a member of the audience didn't speak up then they lost their right to appeal. CDD Belson said the narrative the chairperson/mayor reads before a public hearing states that people must raise an issue or they would waive their right to appeal.

Commissioner Wise said he was concerned that citizens might permit a spokesperson to speak for them, which is allowed in Title 2 of the Florence City Code, and then they would essentially forfeit their personal appeal rights. The Council discussed how individuals would maintain their appeal rights. Councilor Xavier recommended including a statement of the appeal rights in the agenda for land use public hearings so that citizens would be aware of their rights. The City Council agreed to Councilor Xavier's suggestion and to the proposed amendments presented in the staff report.

#### **10-1-5: Land Use Category Definitions**

The Council agreed to the proposed amendments.

### **CHAPTER 2: GENERAL ZONING**

#### **10-2-6: Who may apply**

Councilor Jagoe asked if lease agreements would work as owner consent. CDD Belson said a lease would work if it specified that the lessee obtained all land use rights for the property. She discussed why it was important that an owner be aware of a land use application. Councilor Xavier said she felt many leases would count because the proposed code stated "owner indicates consent" so as long as the lease stated that much then it should count as owner consent. CDD Belson suggested they add the word "lease" so that the code section states, "letter or lease to that effect." The City Council agreed.

### **CHAPTER 3: OFF-STREET PARKING AND LOADING**

#### **10-3-8: Parking Area Improvement Standards**

CDD Belson said the additions to Chapter 3 are proposed in order to have all zoning chapters reference Chapter 3 for their parking provisions. Councilor Jagoe asked why gravel was not an acceptable parking material. CDD Belson said the listed provisions were for the required parking, if an applicant was proposing to provide more than the required parking the City would allow them to use gravel. She provided examples of when these situations had occurred.

Councilor Jagoe said he felt the proposed parking dimensions were excessive for a single family home. CDD Belson said those requirements were not new and were only proposed to be moved from one section of the code to another.

The Council discussed the merits of requiring parking spaces for single family residential as well as explicit dimensions for those parking spaces. Mayor Brubaker asked if applicants would have the ability to apply for a variance to the parking requirements. CDD Belson said that was an option. Councilor Xavier said it would be more appropriate to discuss these issues when they work on the infill parts of the code; however, they did not have the staff for that kind of in depth code work at this time. The Council agreed to the proposed amendments as shown in the staff report.

#### **10-3-9: Parking Stall Design and Minimum Dimensions**

Councilor Jagoe said he was concerned that the proposed code might be interpreted to say single family residential developments are required to follow the provisions in 10-3-9 and suggested they clarify that single family homes were exempt. CDD Belson suggested they add, "except those provided for Single Family Residential and Duplexes" to the beginning paragraph of 10-3-9. The City Council agreed.

### **CHAPTER 4: CONDITIONAL USE PERMIT**

#### **10-4-2: General Applicability**

Mayor Brubaker asked if the 25% floor area included a garage. CDD Belson said the garage counted as floor area but decks did not. Mayor Brubaker asked if floor area was defined in the code. CDD Belson said floor area was not defined in the code but the dictionary defined it as enclosed areas, which would include garages. The Council discussed examples of types of development that would be included in 'floor area'. The City Council agreed to the proposed amendments as shown in the staff report.

#### **10-4-8: Expiration of Conditional Use Permit**

The City Council discussed where this proposed addition would occur in the code and how the change from six months to twelve months would help the seasonal businesses.

### **CHAPTER 5: ZONING VARIANCES**

#### **10-5-7: Expiration of Variance**

The Council agreed to the proposed amendments.

### **CHAPTER 6: DESIGN REVIEW**

#### **10-6-3: General Applicability**

CDD Belson said the proposed amendments to the design review chapter were made in order to eliminate the cross references that had been missed. She said



the changes didn't alter anything substantively but they did change the locations of some of the requirements in the code.

Councilor Jagoe asked why they removed single family and duplexes from 'A-2'. CDD Belson said the design review chapter references each particular code section. She said the only instance where single family and duplexes were required to obtain a design review was in the Old Town district.

Councilor Jagoe said he did not agree with section 'A-3' because he felt it was wrong for the city to micromanage everyone's lifelong investments. CDD Belson said the language proposed was not new but simply reordered.

Mayor Brubaker referenced section 'C' and asked what happened when an overlay district conflicted with the standard zoning district. CDD Belson said those instances did happen but they were addressed in the overlay district code sections. She said generally the strictest provisions prevailed. The City Council agreed to the proposed amendments in section 10-6-3.

#### **10-6-6: Drawing Submittal**

The Council agreed to the proposed amendments.

### **CHAPTER 7: SPECIAL DEVELOPMENT STANDARDS**

#### **10-7-1: Purpose**

The Council agreed to the proposed amendments.

### **CHAPTER 8: NONCONFORMING LOTS AND USES**

#### **10-8-4: Destruction of nonconforming buildings**

Councilor Xavier suggested the section be reworded to remove the duplicate word, 'destruction'. The Council agreed to the amendments with the changes suggested by Councilor Xavier.

#### **10-8-5: Abandonment of nonconforming use**

The Council agreed to the proposed amendments.

#### **10-8-9: Definition of restore**

CDD Belson said the proposed definition of restore was written by the City attorney. Commissioner Wise said he felt the definition was wrong because it should state "bring back" not "put back". He said that lack meant that it did not include replacement of buildings, only restoration of buildings. The Council discussed non-conforming use scenarios. Mayor Brubaker emphasized that the definition should allow for replacement as well as restoration. The City Council agreed, CDD Belson said she would talk with the City Attorney about the

Council's concerns and bring any changes to the Council's next meeting on the topic.

## **CHAPTER 10: SITE DEVELOPMENT PROVISIONS**

### **10-10-5: Site Development Provisions**

The Council agreed to the proposed amendments.

## **CHAPTER 11: SINGLE-FAMILY RESIDENTIAL DISTRICT (RS)**

### **10-11-5: Site Development Provisions**

The Council agreed to the proposed amendments.

## **CHAPTER 12: MOBILE HOME/MANUFACTURED HOME REGULATIONS**

### **10-12-1-5: Site and Development Provisions**

The Council agreed to the proposed amendments.

## **CHAPTER 15: COMMERCIAL**

### **10-15-2: Permitted Buildings and Uses**

Councilor Xavier said 10-15-2 should actually be 10-15-3, the Council agreed.

Councilor Jagoe asked why the City regulated ground floor commercial to 50% of the floor area. CDD Belson described why ground floor commercial was important for developing an active street façade. Councilor Jagoe said he felt that as long as businesses were adhering to the 25ft minimum commercial frontage then it shouldn't matter how much of the ground floor is used for commercial vs. residential uses. The Council discussed the consequences and decided to remove the 50% of ground floor requirement.

### **10-15-2: Buildings and Uses Permitted Conditionally**

The Council agreed to the amendments as proposed.

## **CHAPTER 16: HIGHWAY**

### **10-16-2: Permitted Buildings and Uses**

The Council agreed to the principle of allowing animal clinics in the highway district except when they were abutting a residential use, but felt the proposed wording made that meaning unclear. CDD Belson said she would reword the section to be certain that it was clear that only animal clinics or grooming facilities that are next to a residential use or district are prohibited. The

Council agreed to the proposed changes with the suggested rewording of 10-16-2-A.

## **CHAPTER 17: OLD TOWN**

### **10-17A-2: Land Uses for Area A**

#### **C. Prohibited Uses:**

The Council agreed to the proposed changes.

#### **E. Parking and Loading Spaces:**

Councilor Jagoe asked for clarification on the residential parking requirements for Old Town Area A. CDD Belson said the purpose of the requirements was to avoid having residents park on streets, because those spaces should be reserved for commercial customers. The Council discussed the location of Old Town Area A and the possible developments and parking available. Mayor Brubaker proposed they move on from this section and come back to it at the end of the evening if they had time.

#### **K. Design Review:**

The Council discussed the new state law, HB 3516. Mayor Brubaker said the state law allowed for more restrictions on dimensions than the proposed City Code. CDD Belson suggested they reference the state law when referring to the allowed dimensions of the solar energy systems. The City Council agreed.

### **10-17B-2: Land Uses for Area B**

#### **C. Prohibited Uses**

Councilor Xavier said this section stated 'Area A' when it should be 'Area B'. CDD Belson made the change and the Council agreed to the amendments.

#### **K. Design Review**

The City Council agreed to the proposed amendments.

### **10-17C-2 Land Uses for Area C**

#### **C. Prohibited Uses:**

Councilor Xavier said this section stated 'Area A' when it should be 'Area C'. CDD Belson made the change and the Council agreed to the amendments.

#### **K. Design Review**

The Council agreed to the proposed amendments.



## **CHAPTER 18: MARINE DISTRICT**

CDD Belson said these proposed amendments were not to be included in the code update process because they had discovered that it was actually a codification error so the City Recorder could make those changes without going through a code update process.

## **CHAPTER 19: ESTUARY, SHORELANDS, AND BEACHES AND DUNES**

### **10-19-4: Development Estuary District (DE):**

The Council agreed to the proposed amendments.

### **10-19-6: Shoreland Residential Overlay District / SR**

Councilor Jagoe said he didn't agree with the provision that required a mature tree to be replaced once it was removed. Councilor Roberts disagreed and said that Florence and the State of Oregon were wonderful places because of the vegetation. Councilor Jagoe said it was equally important to protect the view shed. The Council discussed the types of trees that could be replanted and decided to add that the trees must come from the City's suggested tree list. Mayor Brubaker suggested they add '50 feet' to 10-19-E-6 to be clear that tree replacement is only required in the minimum fifty foot buffer zone. The Council agreed with the proposed amendments with the suggested changes.

## **CHAPTER 22: OPEN SPACE DISTRICT (OS)**

### **10-22-2: Permitted Buildings and Uses**

The Council agreed with the proposed amendments.

## **CHAPTER 23: PLANNED UNIT DEVELOPMENT (PUD)**

### **10-23-11: Approval of the Final Development Plan**

The City Council agreed to the proposed amendments. Mayor Brubaker asked what the material changes were. CDD Belson discussed what would quantify as a material change. The Council discussed examples of material changes.

Councilor Jagoe said he didn't like the idea of the Planning Commission being able to deny an extension request if new land use regulations had been implemented. CDD Belson said the same criteria was used in other portions of the code and they were trying to make the approval processes consistent across the board. CDD Belson suggested they change the wording to state, "The Planning Commission may grant" instead of "applicant may apply to the Planning Commission". The City Council agreed.

**CHAPTER 25: PROFESSIONAL OFFICE/INSTITUTIONAL ZONING DISTRICT ,  
CHAPTER 27: MAINSTREET, CHAPTER 30: NORTH COMMERCIAL &  
CHAPTER 31: SERVICE INDUSTRIAL**

The Council agreed to the proposed amendments.

**CHAPTER 34: LANDSCAPING**

**10-34-3-4: Landscape Materials**

Councilor Jagoe said he didn't agree with the City regulating the distances between plants. He felt the distances should be based on the type of plant. Councilor Xavier said the spacing and sizing regulations were vetted during a thorough public hearing process with extensive input from each of the two nurseries in town. The Council discussed why plant spacing was regulated.

**CHAPTER 35: ACCESS AND CIRCULATION**

**10-35-2-7: Intersection Separation; Backing onto Public Streets & 10-35-2-8: Site Circulation**

The Council agreed to the proposed amendments.

**CHAPTER 36: PUBLIC FACILITIES**

**10-36-1: Purpose and Applicability**

The Council agreed to the proposed amendments.

**CHAPTER 17: OLD TOWN**

**10-17A-2- E. Parking and Loading Spaces: *Discussion Continued***

Mayor Brubaker said he didn't feel the 500 foot rule needed to be addressed during these code amendments. The Council discussed the properties that might redevelop in Old Town Area A. Mayor Brubaker recommended they change the word 'and' to 'or' so that the emphasis of the requirement was on the same block, but they would still allow the flexibility of having the parking be on a different block. The Council decided to delete 'to avoid crossing a street' and change '500 feet' to '300 feet' as well so that the regulations were more realistic to how people actually lived and parked. Thus the approved sentence stated, "located on the same block or not more than 300 feet from..." The Council agreed with the changes in order to find out what kinds of comments they received during the public hearing process.

## **CHAPTER 24: WATERFRONT/MARINE DISTRICT WF/M**

### **10-24-2: Permitted Buildings and Uses:**

CDD Belson said she had found another mistake in the code since she prepared the staff report. She said code section 10-24-2 made it seem as though there were some uses that were permitted when in fact all uses in the district required a design review to be certain that they met the water dependent use requirements. She proposed the section state that "all uses are conditional". The Council agreed with the amendment. The Council discussed the history and circumstances behind the Mo's and ICM restaurants.

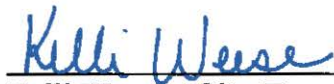
CDD Belson said initiation of the proposed Title 10 Code amendments would be on the Council agenda for their February 21<sup>st</sup> meeting, and discussed the next steps after initiation.

With no further business, Mayor Brubaker adjourned the meeting at 9:17 p.m.



Phil Brubaker, Mayor

**ATTEST:**



Kelli Weese, City Recorder



**Proposed Amendments to Title 10**  
**For City Council Work Session on Feb. 6, 2012**

**CHAPTER 1: ZONING REGULATIONS**

**10-1-1-6: ADMINISTRATIVE REVIEW**

3. Modification to an approved Design Review of less than 1,500 square feet or less than 25% of the building square footage, whichever is less.

**10-1-1-7: APPEALS:** Under this Title, any ~~quasi-judicial~~ decision of the Planning Commission or Design Review Board may be ~~appealed~~ to the City Council in accordance with the following procedure:

*Allow appeals of staff decisions*

- A. A notice of intent to appeal must be filed by an affected party, which includes ~~persons mailed notice of the hearing and~~ persons testifying orally or in written form at the hearing held on the matter.
- E. Unless otherwise provided by the City Council, the review of the initial action shall be confined to the ~~issues raised upon appeal and be based on the record of the proceeding below, which shall include:~~

**10-1-5: LAND USE CATEGORY DEFINITIONS:**

**Retail Service and Repair:** Retail Service firms provide personal services and/or provide product repair for consumer and business goods. Some examples are photographic studios, ~~veterinary clinics, dance classes, locksmith and upholsterer~~ (different than Quick Vehicle Servicing and Vehicle Repair).

**CHAPTER 2: GENERAL ZONING**

**10-2-6: WHO MAY APPLY:** In general, only the owner of a subject property may apply for action by the Planning Commission under the provisions of this Title. ~~Others may also apply for action as long as the owner has indicated consent with the application by either signing the application or by submitting a letter to that effect.~~ An individual who has entered into an earnest money agreement to buy a property is considered to have an ownership interest for the purposes of this Title.

**CHAPTER 3: OFF-STREET PARKING AND LOADING**

**10-3-8: PARKING AREA IMPROVEMENT STANDARDS:** All public or private parking areas, loading areas and outdoor vehicle sales areas shall be improved according to the following: All required parking areas shall have a durable, dust free surfacing of asphaltic concrete, cement concrete, porous concrete, porous asphalt, permeable

pavers such as turf, concrete, brick pavers or other materials approved by the City. Driveways aprons shall be paved for the first fifty feet (50') from the street.

- A. Parking for new single family dwellings and duplexes shall be provided as a carport or garage, unless the majority of existing dwellings within 100 feet of the property boundary of the proposed development do not have such covered parking facilities. The number of required covered parking spaces shall be based on the predominant number of covered spaces on the majority of lots within the 100 foot radius. Parking spaces shall measure nine (9) feet and six (6) inches wide by nineteen (19) feet long. No encroachments (such as water heaters, steps, door swings) are allowed into the required parking spaces.

**10-3-9: PARKING STALL DESIGN AND MINIMUM DIMENSIONS:** All off-street parking spaces shall be improved to conform to City standards for surfacing, stormwater management, and striping and where provisions conflict, the provisions of FCC Title 9 Chapter 5 shall prevail. Standard parking spaces shall conform to minimum dimensions specified in the following standards and Figures 10-3(1) and Table 10-3-3:

- A. Motor vehicle parking spaces shall measure nine (9) feet and six (6) inches wide by nineteen (19) feet long.
- B. Each space shall have double line striping with two feet (2') wide on center.
- C. The width of any striping line used in an approved parking area shall be a minimum of 4" wide.
- D. All parallel motor vehicle parking spaces shall measure eight (8) feet six (6) inches by twenty-two (22) feet;
- E. Parking area layout shall conform to the dimensions in Figure 10-3(1), and Table 10-3-3, below;
- F. Parking areas shall conform to Americans With Disabilities Act (ADA) standards for parking spaces (dimensions, van accessible parking spaces, etc.). Parking structure vertical clearance, van accessible parking spaces, should refer to Federal ADA guidelines.

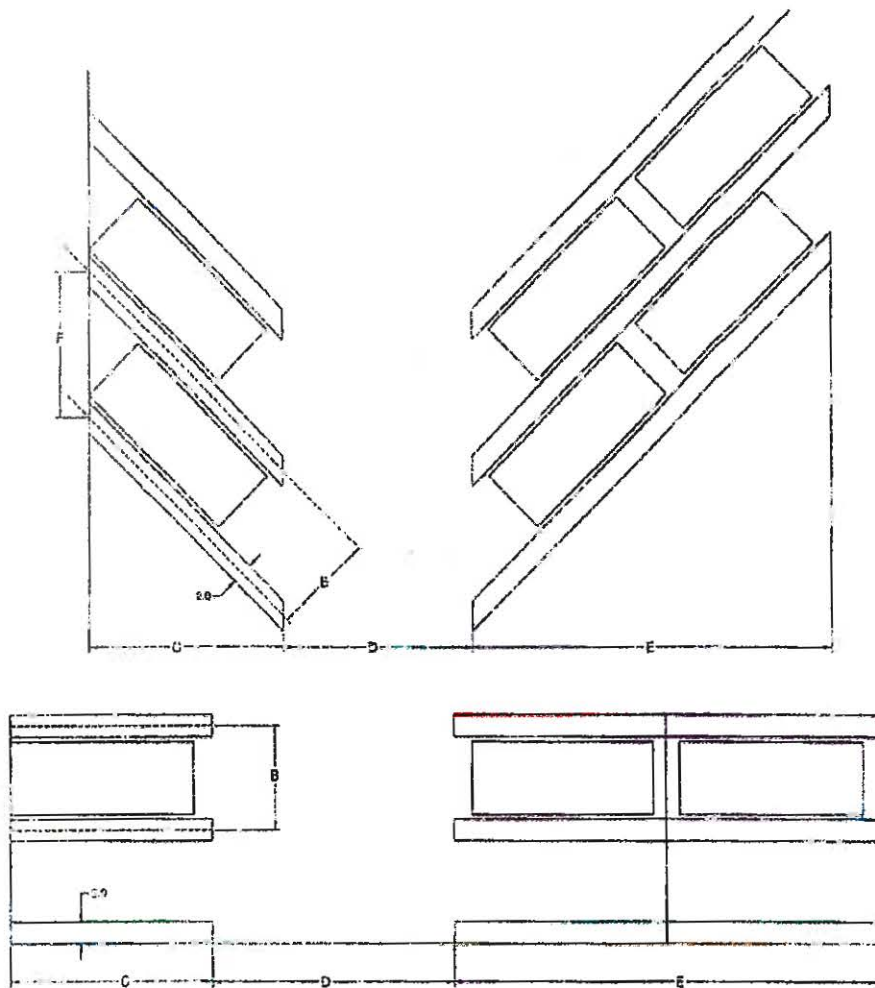


FIGURE 10-3 (1)

Table 10-3-3 – Parking Area Layout							
Space Dimensions in feet	Parking Angle <°	Stall Depth		Aisle Width		Stall width (B)	Curb Length (F)
		Single (C)	Double (E)	One Way (D)	Two Way (D)		
	30°	15.6	26.7	12	18	9.5	19.0
	45°	18.4	33.4	13	18	9.5	13.4
	60°	20	38.8	17	18	9.5	11.0
	70°	20.3	40.6	18	19	9.5	10.1
	80°	20	41.2	22	22	9.5	9.6
	90°	19	40.5	23	23	9.5	9.5



## CHAPTER 4: CONDITIONAL USE PERMIT

**10-4-2: GENERAL APPLICABILITY:** ~~Remodels and expansions of up to 25% of the floor area are allowed without a new conditional use permit as long as the remodel or expansion is consistent with the original approval.~~

### 10-4-8: EXPIRATION OF CONDITIONAL USE PERMIT

~~B. The discontinuance of a conditional use for twelve (12) consecutive months shall constitute expiration of that conditional use. The use occupying the premises thereafter shall conform to the regulations of the zoning district in which it is located.~~

## CHAPTER 5: ZONING VARIANCES:

**10-5-7: EXPIRATION OF VARIANCE:** ~~Authorization of a variance shall be void~~ one (1) year after the date of approval of a variance application, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Substantial construction ~~shall be considered to be completion of a building foundation.~~ The applicant may apply to the Planning Commission for ~~a~~ one-time extension of one (1) year maximum duration based on ~~compliance with the following criteria:~~

## CHAPTER 6: DESIGN REVIEW

### 10-6-3: GENERAL APPLICABILITY:

A. The Design Review Board shall; ~~in exercising or performing its duties or functions,~~  
1. ~~When required by the zoning district, review new construction, alterations to the exterior of structures or additions involving twenty five percent (25%) or more of the floor area of a building, and changes of use from less intensive to greater intensive use not eligible for administrative review (see Chapter 1-1-C-B). This review shall be completed prior to the issuance of a building permit.~~

2. ~~Determine whether the proposed development (other than single-family and duplex residences if allowed as a permitted use) is appropriate to the character of the neighborhood, according to the general criteria listed in Section 10-6-5.~~

3. ~~Have authority to require changes in the planned appearances of proposed buildings, structures and alterations in accordance with Section 10-6-1; and,~~

~~The Design Review Board shall provide this monitoring in the Multiple-Family Residential, Neighborhood Commercial, Commercial, Highway, Waterfront, Marine, and Open Space Districts for all new construction, alterations to the exterior of structures or additions involving twenty-five percent (25%) or more of the floor area of a building, prior to the issuance of a building permit. In addition, all conditional use permits granted by the Planning Commission and any expansion of a pre-existing,~~

~~nonconforming use requires approval by the Design Review Board. Permitted land uses in the Limited Industrial and Pacific View Business Park Districts are exempt from Design Review requirements, but conditional uses in those districts require Design Review.~~

- ~~B. Conditional uses are subject to design review in accordance with Section 10-6-5 of this Chapter.~~
- ~~C. When a use changes in the Commercial, Highway, Waterfront, or Marine Districts, the applicant will be required to receive approval of the site and structures in accordance with Section 10-6-5 of this Chapter.~~
- ~~D. The Design Review Board shall have authority to require changes in the planned appearances of proposed buildings, structures and alterations in accordance with Section 10-6-4 hereof.~~

~~EB. The Design Review Board shall review any proposed external alteration, demolition, or change of use for any building shown on the historic resources map of the Comprehensive Plan. The Board may delay action on such a permit for a period of ninety (90) days to explore with the owner options for rehabilitation and preservation of the structure. (Ord. 680, 1-11-83)~~

~~C. The requirements of individual zoning districts shall prevail where the applicability of this chapter and individual zoning districts conflict.~~

**10-6-6: DRAWING SUBMITTAL:** The owner or authorized agent shall submit the following drawings to the City for review:

~~E. It is expressly understood that single-family residential homeowners are exempted from the above plans, scale drawings and architectural drawings enumerated above except as required for the issuance of a building permit or under State law. (Ord. 625, 6-30-80)~~

## **CHAPTER 7: SPECIAL DEVELOPMENT STANDARDS**

**10-7-1: PURPOSE:** The purpose of this Chapter is to apply additional development standards to areas with potential natural hazards or soils which are particularly subject to erosion, landslide or seasonal surface water. Compliance with these standards is required in order to obtain a ~~Special Use Permit~~. The standards are intended to eliminate the danger to the health, safety or property of those who would live in potential problem areas and the general public and to protect areas of critical environmental concern; areas having scenic, scientific, cultural, or biological importance; and significant fish and wildlife habitat as identified through Goal 5: Open Spaces and Scenic, Historic, and Natural Resources, and Goal 17: Coastal Shorelands.



## CHAPTER 8: NONCONFORMING LOTS AND USES

**10-8-4: DESTRUCTION OF NONCONFORMING BUILDINGS:** In the event of damage or destruction, ~~destruction due to fire or other disaster~~ a nonconforming building or structure may be restored in accordance with the Uniform Building Codes 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~~ one year 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~~ one year.

**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~~.

**10-8-9: DEFINITION OF RESTORE:** To put back into existence by bringing back to a former or original condition. In restoring a damaged nonconforming structure, the structure may be altered to bring the structure closer to compliance with existing regulations, but shall not be altered in a manner that increases its nonconformity.

## CHAPTER 10: RESTRICTED RESIDENTIAL DISTRICT (RR)

### 10-10-5: SITE DEVELOPMENT PROVISIONS:

D. Off-Street Parking: Refer to Chapter 3 of this Title (Off-Street Parking and Loading):

- ~~1. Residential dwellings shall have at least two (2) permanent parking spaces. Such a parking space, garage or carport shall provide for the ingress and egress of a standard size automobile. Each parking space must be at least nineteen feet long and nine and one-half feet wide (19x9 1/2'). Regular off-street parking shall not be permitted within the required yards adjacent to a street.~~
- ~~2. Nonresidential uses shall provide parking in accordance with Chapter 3 of this Title.~~



## CHAPTER 11: SINGLE-FAMILY RESIDENTIAL DISTRICT (RS)

### 10-11-5: SITE DEVELOPMENT PROVISIONS:

- D. ~~Off-Street Parking: Refer to Chapter 3 of this Title (Off-Street Parking and Loading). Residential dwellings shall have at least two (2) permanent parking spaces. Such a parking space, garage or carport shall provide for the ingress and egress of a standard size automobile. Each parking space must be at least nineteen feet long and nine and one-half feet wide (19' x 9-1/2'). Regular off street parking shall not be permitted within the required yards adjacent to a street.~~

## CHAPTER 12: MOBILE HOME/MANUFACTURED HOME REGULATIONS

### 10-12-1-5: SITE AND DEVELOPMENT PROVISIONS:

- D. ~~Off-Street Parking: Refer to Chapter 3 of this Title (Off-Street Parking and Loading). Residential dwellings shall have at least two (2) permanent parking spaces. Such a parking space, garage or carport shall provide for the ingress and egress of a standard size automobile. Each parking space must be at least nineteen feet long and nine and one-half feet wide (19' x 9-1/2'). Regular off street parking shall not be permitted within the required yards adjacent to a street.~~

## CHAPTER 15: COMMERCIAL

**10-15-2: PERMITTED BUILDINGS AND USES:** ~~The following uses shall be permitted only upon affirmative findings by the Planning Commission that the proposed use meets the general criteria in Section 10-16-4 herein.~~

~~Animal Clinics or grooming facilities (not abutting a residential use or district)~~

~~Restaurants, drive-ins and walk-ups (includes drive-thrus and drive-ups)~~

### **10-15-2: BUILDINGS AND USES PERMITTED CONDITIONALLY:**

Residential units, provided that the building contains a commercial business and that the dwelling shall not occupy the front twenty five feet (25') ~~facing the commercial street and not more than fifty percent (50%) of the ground floor are~~ ~~afacing the principal commercial street~~; if access to the dwelling is from the principal commercial street, it shall be a separate entrance and not more than six feet (6') wide.

## CHAPTER 16: HIGHWAY

### 10-16-2: PERMITTED BUILDINGS AND USES:

- A. All uses permitted outright or conditionally in the Commercial District, except single-family dwellings, public buildings and facilities, animal clinics or grooming facilities (abutting a residential use or district) and single-family residential PUD's.
- D. Mini Storage units

## CHAPTER 17: OLD TOWN

### 10-17A-2 LAND USES FOR AREA A

#### C. Prohibited Uses:

Restaurants, with drive thru includes drive-up and drive-thru  
Kennels, animal clinics or grooming facilities

E. **Parking and Loading Spaces:** Non-residential parking spaces may be located on-street in front of the lot, and/or may be located in an interior parking lot within the block or in an off-site lot. Individual parking areas or lots will not be approved unless no other alternative exists. Parking may not be located between the building and the street.

Residential parking spaces may be specifically designated within any on-site parking area. Individual parking areas or lots will not be approved unless no other alternative exists; such off-site parking assigned to specific residential buildings in Area A shall be located on the same block (to avoid crossing a street) and shall not be more than 500 feet from the residential building entrance.

Bike racks shall be located either in the interior parking lot or by an entrance. Bike racks may not be located in the required eight feet (8') minimum pedestrian walkway.

K. **Design Review:** All uses in Area A of Old Town District whether permitted or conditional uses, shall be subject to design review (FCC 10-6) to insure compatibility and integration with the character of the district and to encourage revitalization. Architectural design shall be reviewed against Downtown Architectural Design Guidelines to determine compatibility with the character of the district, with the exception of solar photovoltaic and solar thermal energy systems on properties not listed in the Comprehensive Plan's Historic Inventory

### 10-17B-2 LAND USES FOR AREA B

#### C. Prohibited Uses:

Kennels, animal clinics or grooming facilities

K. **Design Review:** All uses in Area A of Old Town District whether permitted or conditional uses, shall be subject to design review (FCC 10-6) to insure compatibility and integration with the character of the district and to encourage revitalization. Architectural design shall be reviewed against Downtown Architectural Design



Guidelines to determine compatibility with the character of the district, with the exception of solar photovoltaic and solar thermal energy systems on properties not listed in the Comprehensive Plan's Historic Inventory.

#### **10-17C-2 LAND USES FOR AREA C**

##### **C. Prohibited Uses:**

Kennels, animal clinics, or grooming facilities

**K. Design Review:** All uses in Area A of Old Town District whether permitted or conditional uses, shall be subject to design review (FCC 10-6) to insure compatibility and integration with the character of the district and to encourage revitalization. Architectural design shall be reviewed against Downtown Architectural Design Guidelines to determine compatibility with the character of the district, with the exception of solar photovoltaic and solar thermal energy systems on properties not listed in the Comprehensive Plan's Historic Inventory.

### **CHAPTER 18: MARINE DISTRICT**

*Make it clear that all uses are conditional. Combine the list of uses in 10-13-2 and 10-13-3 to one list in 10-13-3.*

### **CHAPTER 19: ESTUARY, SHORELANDS, AND BEACHES AND DUNES**

#### **10-19-4: DEVELOPMENT ESTUARY DISTRICT (DE):**

F. Conditional Uses: Outside of Areas Managed for Water Dependent Activities, the following uses and activities are allowed in the estuary with a Conditional Use Permit, subject to the applicable criteria. A Conditional Use Permit may be approved according to the procedures set forth in Chapter 4 of this Title upon affirmative findings that: the use or activity is consistent with the purposes of the DE District; it must not be detrimental to natural characteristics or values in the adjacent estuary; and it must comply with the specific criteria below, and the applicable criteria in I and either G or H (if dredging or fill is required, the requirements in G apply; if the use will otherwise alter the estuary, the requirements in H apply):

10. Water-related uses, non-water-dependent uses, and non-water-related uses, provided no dredge or fill is involved and it is not possible-feasible to locate the use on an upland site. Non-water-dependent and non-water-related uses that existed as of July 7, 2009 will retain their non-conforming status for five years from the date the use is abandoned or the structure is destroyed; and the existing structure for the same use may be replaced; the provisions of non-conforming uses in the Florence City Code not withstanding.



#### **10-19-6: SHORELAND RESIDENTIAL OVERLAY DISTRICT /SR**

- E. Site Development Requirements: The development requirements specified herein shall be in addition to those provided by the base zoning district. See also Chapter 7 for additional requirements that may apply.
4. A minimum fifty foot (50') buffer zone of native vegetation shall be maintained along the estuary (as measured from the mean high tide) and Coastal Lakes (as measured from the average high water).
  6. All mature trees must be retained in the buffer zone, unless they are an obvious hazard or determined by an arborist to be diseased or damaged beyond repair. If a mature tree is removed, it shall be replaced with a tree that provides riparian benefits.

#### **CHAPTER 22: OPEN SPACE DISTRICT (OS)**

##### **10-22-2: PERMITTED BUILDINGS AND USES:**

City well field

#### **CHAPTER 23: PLANNED UNIT DEVELOPMENT (PUD)**

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

1. Within six (6) months one year following the approval of the preliminary development plan, the applicant shall file with the Planning Commission a final development plan containing in final form the information required in the preliminary plan. The applicant may apply to the Planning Commission for a one-time extension of one (1) year maximum duration based on compliance with the following criteria: In its discretion and for a good cause, the Planning Commission may extend for six (6) months the period for the filing of the final development plan:
  - a. The request for an extension is made in writing prior to the expiration of the original approval
  - b. There are special or unusual circumstances that exist which warrant an extension.
  - c. No material changes of surrounding land uses or zoning has occurredThe Planning Commission may deny the request for an extension if new land use regulations have been adopted that affect the applicant's proposal

#### **CHAPTER 25: PROFESSIONAL OFFICE/INSTITUTIONAL ZONING DISTRICT**

##### **10-25-2: PERMITTED BUILDINGS AND USES:**

13. Animal clinics or grooming facilities (not abutting a residential use or district)

##### **10-25-5: DESIGN CRITERIA**

- F. All HVAC systems, exhaust pipes or stacks, satellite dishes or other telecommunications receiving devices shall be thoroughly screened from view from both

the public right-of-way and adjacent properties by using walls, fencing, roof elements, or landscaping, with the exception of solar photovoltaic and solar thermal energy systems. Such screening devices shall be compatible with building materials and/or adjacent area landscape treatments.

## **CHAPTER 27: MAINSTREET**

### **10-27-2: Permitted Buildings and Uses**

**A10: Animal clinics or grooming facilities (not abutting a residential use or district)**

### **10-2-7-3 Buildings and Uses Permitted Conditionally**

**j. Restaurants, drive-in (includes drive-thru and drive-up)**

### **10-27-4 Lot and Yard Dimensions**

#### **D. Yard Regulations:**

Area "B": Single family residential uses shall meet the standards of the Single Family Residential District. Multi-family units shall meet the standards of the Multi-family district. Conversion to mixed use or commercial use shall conform to Mainstreet District standards, except that the 208' height requirement does not apply.

### **10-27-5 Site and Development Provisions**

#### **D. Parking and Loading Spaces**

Area "B":

Single family residential uses shall meet the standards of the Single Family Residential District. Multi-family units shall meet the standards of the Multi-family district. Conversion to mixed use or commercial use shall conform to Mainstreet District standards, except that the 208' height requirements do not apply.

#### **E. Vision Clearance.**

Refer to Section 10-1-14 and 10-35-2-13 of this Title for definitions and requirements.

### **10-27-5 Site and Development Provisions**

#### **H. Design Review.**

All uses except single family and residential duplex units shall be subject to Design Review criteria to insure compatibility and integration with the Mainstreet character, and to encourage revitalization. Architectural design shall be reviewed against the Downtown Architectural Guidelines to determine compatibility, with the exception of solar photovoltaic and solar thermal energy systems.

## **CHAPTER 30: NORTH COMMERCIAL**

### **10-30-2: PERMITTED BUILDINGS AND USES:**



Animal clinics or grooming facilities (not abutting a residential use or district)

#### **10-30-3: BUILDINGS AND USES PERMITTED CONDITIONALLY**

Restaurants with drive-thru window (includes drive-ups and drive-ins)

#### **10-30-6: DESIGN CRITERIA**

B. Roofs: Hipped or gabled roofs are recommended. Flat roofs are permitted only if the roof line is either broken up with vertical treatments such as tower elements or decorative parapets and cornice treatments are provided. Mansard roofs are not permitted. HVAC equipment and other roof-mounted equipment shall be adequately screened or hidden from view from adjacent streets and property, with the exception of solar photovoltaic and solar thermal energy systems.

### **CHAPTER 31: SERVICE INDUSTRIAL**

#### **10-31-2 Buildings and Uses:**

8. Animal Daycare and Overnight Boarding Facility (excludes breeding kennels)

### **CHAPTER 34: LANDSCAPING**

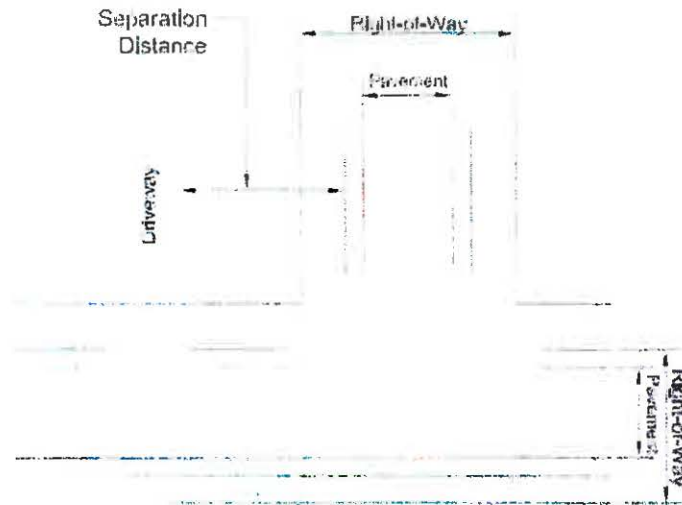
**10-34-3-4: Landscape Materials.** Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, existing native vegetation, outdoor hardscape features and storm water features, as described below.

- A. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, consistent with the purpose of this Chapter. A suggested *Tree and Plant List for the City of Florence* and the *Sunset Western Garden Book* are available at City Hall. The selection of plant and tree species shall be based upon site conditions such as wind and sun exposure, space limitations, water availability, and drainage conditions. The use of indigenous plants is encouraged, and may be required where exposure, slope or soil conditions warrant.
1. Ground Cover. Ground cover may consist of separate plants or mowed grass turf. Ground cover plant species shall meet the following minimum standards: plants from 4-inch pots shall be spaced a maximum of 18 inches measured on center, and 1-2 gallon size plants shall be spaced a ~~minimum~~ maximum of 3 feet measured on center.

### **CHAPTER 35: ACCESS AND CIRCULATION**

**10-35-2-7: Intersection Separation; Backing onto Public Streets.** New and modified accesses shall conform to the following standards:

Figure 10-35(1): Separation Distance from Driveway to Street



*Fig. diagram to show accurate location of Right-of-Way*

**10-35-2-8: Site Circulation.** New developments shall be required to provide a circulation system that accommodates expected traffic on the site. Pedestrian and bicycle connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, trails or paths, must conform to the provisions in Section 103-35-3.

## CHAPTER 36: PUBLIC FACILITIES

### 10-36-1: PURPOSE AND APPLICABILITY

- C. **Engineering Design Criteria, Standard Specifications and Details.** The Standard Specifications for Public Works Construction, Oregon Chapter of the American Public Works Association (APWA) Standard Specifications for Construction, as may be amended by the City of Florence, are incorporated by reference. The design criteria, standard construction specifications and details specified in Title 9 of this Code and those maintained by the Public Works Director, or any other road authority with jurisdiction, shall supersede and supplement the general design standards of this Development Code. The City's specifications, standards, and details are hereby incorporated into this Code by reference.



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**City of Florence  
City Council Meeting Minutes  
February 21, 2012**

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

Mayor Brubaker opened the regular council meeting at 7:00 p.m. with the pledge of allegiance. Other members present included Council President Nola Xavier, Council Vice-President Suzanne Roberts, Councilor Paul Holman and Councilor Brian Jagoe. Staff in attendance included City Manager Jacque Betz, Chief of Police Ray Gutierrez, Community Development Director Sandra Belson, Finance Director Erin Reynolds, Utility Worker Ross Peck and City Recorder Kelli Weese.

**SWEARING IN OF POLICE CHIEF**

*Ray Gutierrez*

Mayor Brubaker swore in Police Chief Ray Gutierrez.

**INTRODUCTION**

*New City Utility Worker – Ross Peck*

CM Betz presented newly hired City Utility worker Ross Peck.

**PROCLAMATION**

*Power of Florence – Third Saturday in July*

Mayor Brubaker presented Kaylee Graham with a proclamation announcing the third Saturday in July as Power of Florence day.

**APPROVAL OF AGENDA**

Mayor Brubaker requested moving agenda item number eight concerning the Senior Center Report to just after the consent agenda in order to be conscientious of audience members in attendance. The Council agreed.

**PUBLIC COMMENTS**

*Mayor Brubaker explained that this was a time in the meeting that offered an opportunity for anyone in the audience who would like to address the council for a maximum of three (3) minutes for any item not otherwise listed on the agenda.*  
No public comments were heard.

## **CONSENT AGENDA**

### **MINUTES**

*Consider approval of the regular council meeting minutes of January 17, 2012, and City Council worksession of February 6, 2012*

### **LIQUOR LICENSE APPROVAL**

*Consider approval of the liquor license for Ixtapa Family Mexican Restaurant to be located at 1015 Hwy 101, Florence, OR 97439 (old Azatlan Restaurant)*

### **SIUSLAW VALLEY FIRE SIGN CODE ADJUSTMENT**

*Consider approval of Resolution No. 2, Series 2012, a resolution to approve the application for a sign code adjustment submitted by Siuslaw Valley Fire and Rescue (Agenda Item continued from 1-3-12 & 1-17-12 City Council Meetings)*

Councilor Jagoe recused himself from the consent agenda due to the Siuslaw Valley Fire Sign Code Adjustment.

Councilor Holman moved to approve the consent agenda which included the minutes of the January 17, 2012 & February 6, 2012 City Council meetings; the liquor license approval for Ixtapa Family Mexican Restaurant; and Resolution No. 2, Series 2012. Second by Councilor Roberts, by voice all ayes, except for Councilor Jagoe who recused himself. Motion carried.

### **FLORENCE SENIOR CENTER REPORT**

*Review of report submitted by the Senior Boosters for operations of the Florence Senior Center.*

**Robert Hellewell – Senior Center President**

**Nancy Coughlan – Senior Center Volunteer**

Mayor Brubaker thanked the senior center for their wonderful report. Councilor Roberts agreed. She asked why the cost of coffee had increased so dramatically. Mr. Hellewell said they had purchased and installed new machines. Ms. Coughlan said the coffee used to be charged to the café but recently all of the Senior Center had begun to use that coffee and thus the Senior Center decided to pick up the tab for the coffee.

Councilor Roberts said she noticed they replaced the foyer with carpet. Mr. Hellewell said the concrete was staining and needed to be replaced. He said they chose carpet to help cut down on the noise.

Councilor Roberts said she noted they made a \$1,000 profit in the café, but she wondered if the \$5 charge for meals was enough. Mr. Hellewell said the cost was relatively cheap, but they had raised the price twice so far and were hesitant to raise it again. He said they were working to shave from the kitchen budget rather than having to raise the prices again.

Councilor Roberts thanked the Senior Center volunteers for their amazing job and said she appreciated meeting some of them at the volunteer appreciation night. Councilor Jagoe said the report was excellent and thanked the Senior Center volunteers for their incredible work.

CM Betz said Public Works would work with the Senior Center to offer some suggestions on how the City can assist with the building utility costs. The Council and staff discussed the heating and energy usage of the Senior Center. The City Council approved the Senior Center report.

## **ACTION ITEMS**

### **FURA INFRASTRUCTURE IMPROVEMENT PROJECT**

*Consider accepting the proposal from R & G Excavating for construction of Phase 1 FURA (Florence Urban Renewal Agency) 2012 Project for Quince Street Utilities in the amount of \$474,240.00.*

Councilor Xavier said FURA held a special meeting on February 1, 2012 to review the bid process. She said this particular bid was just for utilities, water and sewer lines in the first phase of the project and thus didn't include some of the other work such as the proposed improvements off of Highway 126 and Quince Street. The Council discussed the area of Phase 1 and the timeline for the project.

Councilor Roberts moved to accept the low bid from R & G Excavating, Inc. and authorize the City Manager to proceed with the construction contract. Second by Councilor Jagoe, by voice all ayes motion carried unanimously.

### **INITIATION OF MISCELLANEOUS TITLE 10 ZONING CODE AMENDMENTS**

*Consider approval of code amendments to Title 10, Chapters 1, 2, 4, 5, 6, 8, 15, 16, 17, 18, 19, 22, 23, 25, 27, 30, 31, 34, 35, and 36. Proposed amendments concern HB 3516 Residential and Commercial Solar Bill, expansion of uses, extension of time frames, and improving processes. (Agenda Item Continued from 12-19-11 and 2-6-12 City Council Meetings)*

Mayor Brubaker introduced the topic item with a brief history of the Council's discussions. Councilor Jagoe said he hoped the contractors that have brought up issues would become involved with the code amendment process because this was a good opportunity for their opinions to be heard. CDD Belson discussed the next steps in the code amendment process.

Mayor Brubaker asked if any members of the audience wished to speak. No comments were heard.

Mayor Brubaker moved to initiate the proposed amendments to the City Code. Second by Councilor Xavier, by voice all ayes motion carried unanimously.



## **REPORTS**

### **SIX MONTH FINANCIAL STATEMENT REPORT**

*Finance Director Erin Reynolds will provide a report on the City's financial statements for the past six months*

Mayor Brubaker said staff should provide this information to the Budget Committee as part of the kick off to the budget process. CM Betz said the information would be included in the documents provided for the orientation meeting February 27, 2012.

FD Reynolds thanked her staff and the City Manager for helping her get up to speed with the financial reporting. She continued by discussing information available in the staff report.

Councilor Xavier said the trend across all of the departments for insurance, social security, etc. was that about 60% of the budget had been spent. FD Reynolds said much of the items in the personal services categories gave a wrong impression of the current spending because many items within those categories were one time payments, or difficult to track because of the timing of those payments. She said the best way to look at personal services was as a whole. CM Betz said the upgrade to better accounting software would help provide better financial reports.

Councilor Holman said the municipal court, police, jail, code enforcement, and justice building were all listed together on page 9 as the justice department. He asked if the City was looking to combine all of those departments into one department in the future. FD Reynolds said those departments were considered one program, at least according to how the budget was adopted, but they were still considered separate departments.

CM Betz asked the Council if they liked the format of the budget document. Councilors Holman and Jagoe said the format was very useful. CM Betz said they would use this format for the 2013 budget season. She said they would have the long term financial plan available for use as a guide, but would not be using that format this year.

Mayor Brubaker said he liked the debt report on page 63 because it provided a great comprehensive picture of where the City stands with regards to debt. Mayor Brubaker said he would also like to see a summary page of budget transfers. FD Reynolds said she would provide that information to the Council.

Mayor Brubaker said the general fund report on page 5 showed the carryover from the prior year. He verified that the report stated that the City was \$278,000 better off at the end of last year than they thought they were going to be, and that this money was part of their reserves now and was not proposed to be spent. FD Reynolds agreed. Mayor Brubaker said it would be useful to see a compilation of beginning fund balances by department. FD Reynolds said she would provide the Council with that information.

Councilor Roberts suggested the Council keep their copies of this budget document so staff would not have to make additional copies. The Council agreed.

## **MONTHLY REPORTS FROM DEPARTMENT HEADS**

The City Council discussed business license renewals, Siuslaw Dunes housing, Hoburg property business licenses, Florence dialysis clinic, filling of Senior Planner Farley-Campbell's position, e-permitting building permits, Environmental Management Advisory Committee Solid Waste hauler review, Florence Events Center report formatting, Code Enforcement Officer position status, north water transmission main extension, public works storm cleanup, automatic water meters, pot holes in the new paving on Oak Street, the revenue options committee for street and stormwater maintenance, and the status of the airport volunteer group.

## **CITY MANAGER REPORT**

### *A. Public Contracting Emergency Resolution*

CM Betz described the example resolution provided in the Council packet, and the situations where it might be used.

### *B. Storm Damage Assessment Report*

CM Betz explained the Storm Damage Assessment report and said the City of Florence claimed \$58,000 in damages from the January 2012 storm. She described the process for declaration of an emergency and any possible reimbursement the City may receive.

### *C. PSAP Grant Application*

CM Betz discussed the PSAP grant application and said the City had decided not to apply for the grant.

### *D. February 2012 – "Focus on Florence" Newsletter*

CM Betz said the February 2012 newsletter was provided in the Council's packet and was available on the City's website and at City Hall.

## **MAYOR AND COUNCIL REPORTS**

Mayor Brubaker asked the Council if they would like to authorize him to sign the letter supporting the application of Northwest Housing Alternatives for funding from Oregon Housing and Community Services for Siuslaw Dunes Apartments. The Council agreed to authorize Mayor Brubaker to sign the letter of support.


Councilor Roberts discussed House Bill 4090 including its purpose and implications for all of Oregon's cities. She suggested the City Council formulate a letter in opposition of this bill. CM Betz said a decision should have been made on that bill today, but if it was still pending she would inform the Council so that they could formulate their comments on the bill.

Councilor Jagoe asked about the tarps on the roof at City Hall. CM Betz said it had been difficult to get roofers to provide an estimate because they were so busy after the storm. She said the City's insurance agency had been by to provide an assessment, and the damage was covered by insurance.

Councilor Roberts brought up the SVFR sign resolution that was passed earlier in the evening. She asked if the resolution made it clear that SVFR was the only entity that was allowed to use the color red, and even then it was only in emergencies. CDD Belson said there was nothing in the code that would prevent other entities from using red and said the City would need to do a code amendment if that was the direction of the Council. The Council discussed the possibility of changing the code particularly in consideration with their other priorities and current staffing levels. Councilor Jagoe said the only comments he had received on the sign had been positive and quite a few people missed the time and temperature features of the sign that are were longer allowed. The Council decided to hold off on any code amendments until after they resolve the planning department staffing concerns.

Councilor Roberts thanked staff for the wonderful volunteer night on February 16, 2012.

With no further business, Mayor Brubaker adjourned the meeting at 8:35 p.m.

  
Phil Brubaker, Mayor

**ATTEST:**

  
Kelli Weese, City Recorder



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**AGENDA ITEM SUMMARY****ITEM NO:****FLORENCE CITY COUNCIL**Meeting Date: April 15, 2013  
Dept: Planning & Building Departments

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**ITEM TITLE: Monthly Report for Work Accomplished in March****MONTHLY OVERVIEW:**

This month, staff has been working on adjusting to the changes in the department by working closely with "The Building Department LLC" and "Lane Council of Governments" to perform building permit plan review and inspections, and to draft staff reports / respond to public comments concerning current land use applications. On a staffing level, we have been working with Cardinal Employment Services to find some new temporary help, with interviews to be held on April 3<sup>rd</sup>.

Land Use applications have picked up a little bit with the start of spring, with the processing of the Stillwater Addition and Upas Street conditional use permit applications. The public hearings for both applications were held on March 26<sup>th</sup>. We have also received a design review application for the conversion of the old Cash King building to a Dollar Tree store.

Staff has also been moving forward on some long term planning projects including the Miscellaneous Code Changes that were initiated by the City Council in February 2012, and the Siuslaw Estuary Partnership amendments; as well as some special projects such as the Community Gardens at the old Senior Center site.

**UPDATE ON CITY COMMITTEES STAFFED BY THE PLANNING DEPARTMENT**

**Environmental Management Advisory Committee (EMAC), RARE Katya Reyna**  
EMAC met on March 21<sup>st</sup> to discuss the Greener Florence Awards, Preparation for the Green Fair on April 27<sup>th</sup>, Goals finalization (see attachment 3), and a budget proposal for the next fiscal year. There has been some confusion amongst the Florence businesses this year since the Chamber of Commerce has created a similar award. Chairperson Forsythe will be meeting with Chamber Director Applebee to discuss the duplication of effort. EMAC will be working at a booth at the Florence Green Fair on April 27<sup>th</sup> in order to distribute educational materials and promote the City's biosolids project. For their next meeting, EMAC will be taking a field trip to a recycling facility in Springfield on May 16<sup>th</sup>.



### **Planning Commission/Design Review Board, IPD Kelli Weese**

The Planning Commission held one meeting on March 26<sup>th</sup> to hold two public hearings on the 1723 Upas Street addition conditional use permit, and the Stillwater Condominium addition design review. The Planning Commission approved both applications 5-0. The April 9<sup>th</sup> meeting was cancelled due to lack of applications. The next Planning Commission meeting will be April 23<sup>rd</sup> to discuss the Misc. Code Amendments initiated by the Florence City Council on February 21, 2012.

## **STAFF ACCOMPLISHMENTS IN MARCH**

### Customer Service Inquiries

- The Planning & Building Departments continue to offer the best possible customer service. This month we have tallied an estimate of the amount of public correspondence performed, marking approximately 420 individual conversations (counter, phone calls, or emails). Below is a table estimate of these interactions.

#### **Overview of Customer Service in Planning/Building Department March 2013**

Building Questions	312
Planning Questions	54
Public Works Questions	18
General Questions	16

- Here is an overview of the customer service questions we have helped resolve this month....
  - General zoning such as ... what zoning district is a property, setbacks, fence regulations, property lines, and ability to subdivide property.
  - General building questions such as when inspections are performed, overview of fee schedule and when permits are necessary.
  - Questions about process for expanding a residential dock on the Siuslaw River
  - Question about annexation processes from multiple parties including properties in Idlyewood, Near Coastal Highlands, and near Driftwood Shores.
  - Answered questions about sign code specifically regarding types of sandwich board signs allowed on the highway.
  - Met with Port of Siuslaw manager and property owner about possibility of Port selling properties along Rhododendron Drive and/or requesting vacation of right of way in the area to allow better usability of properties.
  - Met with Siuslaw River Christian Fellowship about possibility of locating a church at the old "Vic's Powerhouse Site" and the need for a conditional use permit for a church in that location.
  - Completed zoning compliance form for Siuslaw Dunes Apartments
  - Completed Land Use Compatibility Statement for Port of Siuslaw

- News from the Comments Box!
  - We received 2 returned comment forms for the building/planning department in March with both noting that Staff had been "Very Helpful". Some specific comments included; "Staff was very helpful in explaining a plumbing problem and code to me".

#### Building Department Activity

- Most of the building permit activity in March was through smaller scale permits for commercial buildings (i.e. installing fire protection systems etc.), and some additional residential remodels and plumbing installations. (See attachment 2)
- Worked with City Recorder to help process public records requests.
- Performed review of business licenses concerning building permit needs
- Worked with state on maintenance and working through bugs of the accella permit program
- IPD Weese began training with Building Technician Eric Rines on backup for the building department.

#### Current Planning

- Stillwater Addition – PC 13 01 DR 01
  - Continued to work with LCOG Planner Jacob Callister to review the Stillwater addition application including preparation for March 26<sup>th</sup> Public Hearing, including preparing public notices, referrals, posting property, uploading materials to website, and meeting attendance. Coordinated public comment distribution and discussed processes for commissioner conflict of interest declaration with City attorney. Prepared post decision notifications to applicant and persons who testified either in writing or at the hearing. The application was approved by the Planning Commission on March 26<sup>th</sup>.
- 1509 9<sup>th</sup> Street Community Radio Station Change of Use/Design Review
  - Staff fielded questions from citizens regarding the approval of the community radio station change of use / design review on February 27<sup>th</sup> including the public notification process.
- Munsel Lake Village
  - Munsel Lake Village has decided to withdraw their current application for a modification to the approved planned unit development north of Fred Meyer. The applicants were nearing the 245 day maximum allowed by state law and would have been scheduled for a public hearing on April 23<sup>rd</sup>.
  - However, Munsel Lake Village has already received approval for a Planned Unit Development in November 2008. That approval was good for four years. The development also received a two year extension via Ordinance No. 1, Series 2010, thus will expire December 17, 2014. Should the applicant wish to use these approved designs, they would be able to move forward with their development without additional land use approval.



- Upas Street Conditional Use Permit – PC 13 02 CUP 01
  - Continued to work with LCOG Planner Jacob Callister to review the Stillwater addition application including preparation for March 26<sup>th</sup> Public Hearing, including preparing public notices, referrals, posting property, uploading materials to website, and meeting attendance. Prepared post decision notifications to applicant and persons who testified either in writing or at the hearing. The application was approved by the Planning Commission on March 26<sup>th</sup>.
- Cannery Station
  - Cannery Station has submitted additional materials for their application review on March 22<sup>nd</sup>. Staff has been working with LCOG planner Jacob Callister on review of the application which is scheduled for a public hearing with the Planning Commission on May 14<sup>th</sup>. Staff completed a land use compatibility statement for the applicant as well.
- Dollar Tree – AR 13 01 DR 01
  - Worked with applicant of new dollar tree to be located at the old Cash King site about the needed application materials, and assisted LCOG Planner Jacob Callister in completeness review of the materials.
- Reviewed the new business license applications for compliance with Title 10 zoning codes

#### Long Term Planning

- Miscellaneous (Solar Bill) Code Amendments
  - Staff continued working on staff report and notices for these code amendments including correspondence with DLCD concerning notification procedures
- Siuslaw Estuary Partnership
  - Staff worked with Contract Planner Carol Heinkel on the public hearing notification mailings including Measure 56 and standard notices to over 650 property owners about the upcoming public hearing process, as well as preparation of packet materials for April 15<sup>th</sup> work session and initiation.
  - Staff also worked to create aquifer protection overlay zone map for processes.
- Community Gardens
  - Staff prepared agenda item summary for request to use old senior center site for a community garden. Item is to go before the Council at the April 1<sup>st</sup> Council meeting.

#### Other

- Staff worked to cleanout vacant offices of Associate Planner and Building Official, and to work to get emails and computer files of those persons moved and backed up.
- Staff worked with Cardinal Employment Services to search for new temporary help to assist with reception and various tasks in the Planning/Building departments, including reviewing resumes and preparing interview questions.
- Attended Code Enforcement Meeting March 6<sup>th</sup>

- Prepared newsletter article for changes in the department
- Attended Board of Realtors meeting March 7<sup>th</sup>
- Began budget preparation for the Planning and Building Departments

**Attachments:**

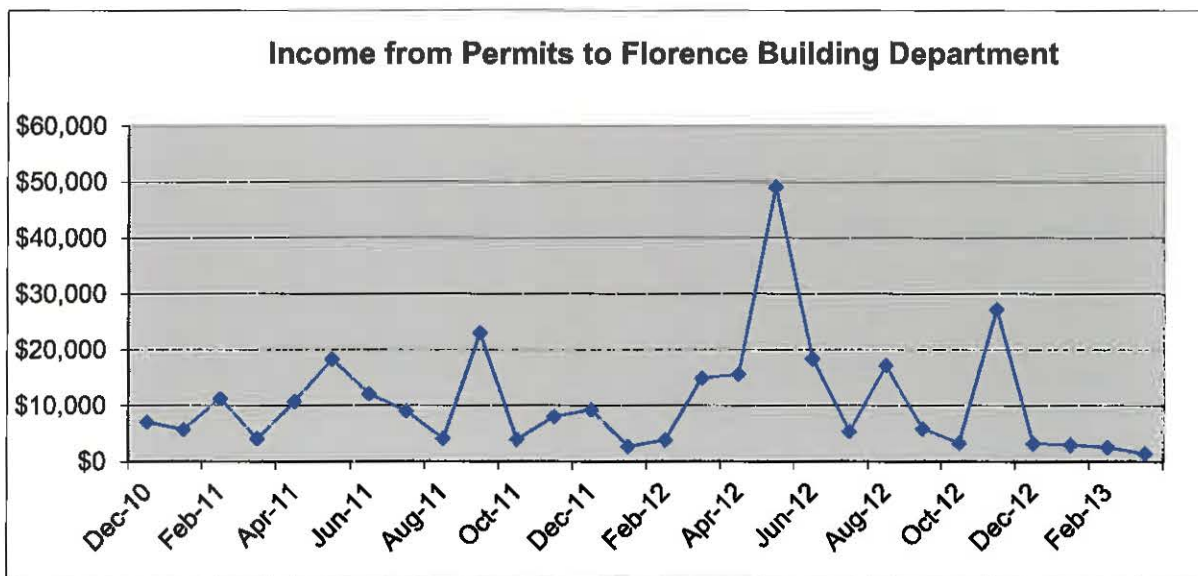
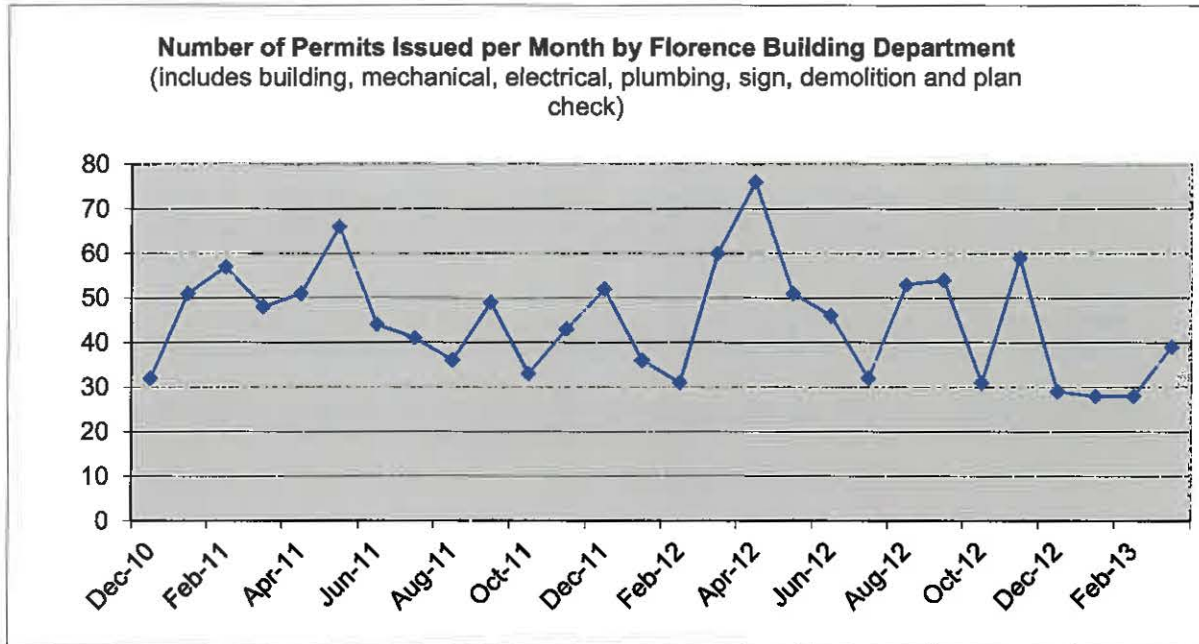
- 1 – Current Land Use Applications (current and recently approved applications)
- 2 – Building Permit Activity (number of permits issued, income from permits, and monthly report)
- 3 – EMAC Goals - 2013

**Current and Recently Approved Land Use Applications****ATTACHMENT 1**

<b>APPLICATION NAME</b>	<b>APPLICATION #</b>	<b>LOCATION</b>	<b>STATUS</b>
Revised Preliminary Development Plan for Munsel Lake Village	PC 12 08 PUD 01	Between Fred Meyer and Munsel Lake Plaza	The applicant has withdrawn the application.
Cannery Station Final Planned Unit Development, Tentative Subdivision, and Design Review	PC 12 12 FPUD 01 PC 12 13 SUB 01 PC 12 14 DR 01	17 acres at southeast corner of US 101 and Munsel Lake Road	The applicant is moving forward with the application and has submitted additional materials. The public hearing is scheduled May 14, 2013.
Stillwater Addition to repair existing east exit stairs by replacing the third level section that was removed at time of construction	PC 13 01 DR 01	1220 Bay Street	Application approved at March 26 <sup>th</sup> Planning Commission meeting.
Expand non-conforming house	PC 13 02 CUP 01	1723 Upas Street	Application approved at March 26 <sup>th</sup> Planning Commission meeting.
New Façade for Dollar Tree store	AR 13 01 DR 01	1670 Hwy 126 (Dunes Village Shopping Center – Old Cash King)	Application was submitted on March 21 <sup>st</sup> , and has been deemed complete. Public Comments are currently being accepted until April 15, 2013.



## Attachment 2 – Building Permit Activity



# MONTHLY REPORT FOR MARCH 2013

PERMIT TYPE	# of PERMITS	HOUSING UNITS	CONSTRUCTION VALUE
SINGLE-FAMILY DETACHED		0	\$0.00
SINGLE-FAMILY ATTACHED (TOWNHOMES)		0	\$0.00
MANUFACTURED DWELLING		0	\$0.00
ADDITIONS	1		\$15,000.00
ALTERATIONS / REMODELS	0		\$0.00
ACCESSORY STRUCTURES	1		\$3,786.00
DUPLEXES		0	\$0.00
TRIPLEXES OR FOURPLEXES		0	\$0.00
APARTMENTS (5 OR MORE UNITS)		0	\$0.00
CONDOMINIUMS		0	\$0.00
COMMERCIAL NEW CONSTRUCTION	1		\$37,000.00
COMMERCIAL ADDITIONS	0		\$0.00
COMMERCIAL ALTERATIONS / REMODELS	5		\$64,683.80
AIRPORT HANGARS	0		\$0.00

SIGN PERMITS	3	\$439.00	PERMIT FEES SHOWING SPLIT WITH THE BUILD. DEPT. LLC	BUILDING DEPARTMENT LLC 75%	CITY'S 25%
RESIDENTIAL BUILDING PERMIT FEES	2		\$357.60	\$268.20	\$89.40
COMMERCIAL BUILDING PERMIT FEES	6		\$1,517.84	\$1,138.38	\$379.46
MANUFACTURED HOME PLACEMENT FEES	0		\$0.00	\$0.00	\$0.00
BUILDING PLAN CHECK FEES	8		\$1,534.38	\$1,150.79	\$383.60
RESIDENTIAL PLUMBING PERMIT FEES	2		\$444.50	\$333.38	\$111.13
COMMERCIAL PLUMBING PERMIT FEES	0		\$0.00	\$0.00	\$0.00
MECHANICAL PERMIT FEES	6		\$554.60	\$415.95	\$138.65
MECHANICAL PLAN CHECK FEES	2		\$38.20	\$28.65	\$9.55
ALL DEMOLITIONS	0		\$0.00	\$0.00	\$0.00
CITY ELECTRICAL PERMIT FEES	10		\$1,090.00	\$817.50	\$272.50
TOTAL # OF PERMITS	39		TOTAL ALL FEES	\$4,152.84	\$1,384.28
CONSTRUCTION VALUE & BUILD. DEPT. LLC & CITY PERMIT FEES			\$5,537.12		
NO. OF BUILDING, PLUMBING & MECHANICAL INSPECTIONS			127		
NO. OF CITY ELECTRICAL INSPECTIONS			28		
TOTAL FOR ALL INSPECTIONS			155		

## ATTACHMENT 3

### ***2013 EMAC Objectives:***

**GOAL #1** Develop, recommend, and assist the Public Works Dept with information and guidance regarding beneficial use options, regulatory compliance and current practice for biosolids. (Title 2, Ch 7, sec 2.7.6 F)

**Obj 1.** Prepare for education, promotion and outreach to the Florence community for the biosolids project including but not limited to design, creation printing and distribution of informational brochures, flyers, PSA's, et cetera.

**Obj 2.** Work with Haulers to assure a smooth transition to the addition of curbside yard debris collection.

**GOAL #2:** Promote resource recovery and other waste diversion to reduce the negative impacts on the environment and protect public health. Title 2, Ch. 7, Sec 2.7.6 A, E)

**Obj 1.** Increase public and business community awareness and applications for the Greener Florence Award

**Obj 2.** Prepare and distribute educational materials for the community at the Florence Green Fair.

**Obj. 3.** Increase community participation in the city's Black & White event, hazardous waste collection, and other environmental protection events.

**Obj. 4.** Increase community awareness and use of the recycling Kiosk at city hall as well as the various other recycling collection points in the Florence area.

**GOAL #3:** Increase public awareness of the Environmental Management Advisory Committee (EMAC) duties and responsibilities, resources and information, events, and available programs. (Title 2 ch 7 sec 2.7.6 A)

**Obj. 1.** Improve and expand website information.

**Obj.2.** Set up electronic message board and determine display sites.

**GOAL #4:** promote and assist the Public Works Department and the City Council in assuring City of Florence compliance with law, policies, and regulations for Environmental Management issues. (Title 2 ch 7 sec 2.7.6 A,B,C,D,E,F)

**Obj.1.** advise and educate the Public Works Director on all relevant issues.

**Obj.2.** advise and educate the Mayor and City Council on all relevant issues.