

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

August 26, 2014

AGENDA

7:00 pm

Cheryl Hoile, Chairperson

Curt Muilenburg, Vice Chairperson

Alan Burns, Commissioner

John Murphey, Commissioner

Robert Bare, Commissioner

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

STAFF INTRODUCTION

Code Enforcement Officer – Dan Frazier

1. APPROVAL OF AGENDA

2. APPROVAL OF MINUTES

- Meeting of July 22, 2014

3. 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 HEARINGS:

4. **26TH/27TH ALLEY VACATION – RESOLUTION PC 14 10 VAC 01**: An application by Ted and Patricia Wiemer to initiate the vacation of an undeveloped alley between 26th and 27th Streets east of Oak. The alley extends for the length of Block 45 of Frasier & Berry's Plat Part of the City of Florence.
5. **CANNERY STATION EXTENSION – RESOLUTION PC 14 12 EAP 01**: A request for an extension to the approved subdivision (extension to May 28, 2016) and design review (extension to August 26, 2015) for Cannery Station, located at Assessor's Map # 18-12-14-20 Taxlot 700 (Original Files # PC 12 13 SUB 01 and PC 12 14 DR 01).
6. **PLANNING COMMISSION DISCUSSION ITEMS**
7. **DIRECTOR'S REPORT**
8. **CALENDAR**
 - Tuesday, September 9, 2014 – Regular Session, 7:00 pm at City Hall
 - Tuesday, September 23, 2014 – Regular Session, 7:00 pm at City Hall – **CANCELLED**
 - Tuesday, October 14, 2014 – 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)

The hearing will also be broadcast live on Channel 191.

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. 1st and 2nd 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
July 22, 2014 ** MEETING MINUTES **

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Chairperson Cheryl Hoile opened the meeting at 7:00 p.m. Roll call: Chairperson Cheryl Hoile Commissioners: Curt Muilenburg, Robert Bare, and John Murphey were present. Commissioner Burns was absent. Also present: City Recorder Kelli Weese, Interim Planning Director Wendy FarleyCampbell, and Planning Technician Glen Southerland.

APPROVAL OF AGENDA

Chairperson Hoile stated that Resolution PC 14 05 TA 01- Old Town Parking should be an Action Item, not a Public Hearing.

Commissioner Bare motioned to approve the Agenda with the changes proposed, Commissioner Murphey seconded. By voice, all ayes, with the exception of Commissioner Burns, who was absent. The motion passes.

APPROVAL OF MINUTES

Meeting of June 10, 2014

Chairperson Hoile asked Commissioner Bare if he meant to ask if wheels would be staying underneath the homes rather than if the manufactured homes would be brought in on wheels as stated on Page 5 of the minutes. He confirmed. Chairperson Hoile asked if Commissioner Bare would like that changed. He agreed.

Commissioner Murphey motioned to approve the Minutes of June 10, 2014 as amended, Commissioner Bare seconded. By voice, all ayes, with the exception of Commissioner Burns, who was absent. The motion passes.

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.*

There were no public comments.

PUBLIC HEARING:

Chairperson Hoile said that there was one public hearing before the Planning Commission that evening. The hearing would be held in accordance with the land use procedures required by the City in Florence City Code Title 2 Chapter 10 and the State of Oregon. Prior to the hearing(s) tonight, 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 of this decision based on that issue. Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval without sufficient specificity to allow the Planning Commission to respond to the issue that precludes an action for damages in circuit court. Any proponent, opponent, or other party interested in a land use matter to be heard by the Planning Commission may challenge the qualification of any Commissioner to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a Commissioner's bias, prejudgment, personal interest, or other facts from which the party has concluded that the Commissioner will not make a decision in an impartial manner.

1650 REDWOOD CHURCH TO SINGLE-FAMILY RESIDENCE – RESOLUTION PC 14 09 CUP

05: A request for approval of a Conditional Use Permit to convert a former church, located at 1650 Redwood Street, in the Multi-Family Residential District to a single-family home. The applicant proposes to retain the residential portion of the building formerly used by the church and convert the former sanctuary into a recreation room. The applicant has also proposed to convert the property into a duplex in the future. The building is located at Map 18-12-26-22, Taxlot 09800.

Chairperson Hoile opened the hearing at 7:04 p.m. and asked if any of the Planning Commissioners wished to declare any conflicts of interest or bias. Commissioner Muilenburg declared a site visit. No other Commissioner declared a site visit, ex parte contact, or conflict of interest or bias. Chairperson Hoile asked if the public had any challenges to any commissioner's impartiality in making this decision. There were no challenges. Chairperson Hoile asked for the staff report.

Staff Report

IPD FarleyCampbell introduced the Conditional Use Permit application by giving some background about the inquiries the Planning Department had received regarding the property. She stated that the zoning is Multi-Family Residential so the change is from one conditional use to another conditional use. She also said that because the use being proposed was a single-family residence, no design review was needed. IPD FarleyCampbell listed the applicable review criteria.

IPD FarleyCampbell presented maps, aerials, and a site plan showing the current site conditions. She stated that the applicant has proposed to retain the existing building and eventually to build a second residence on the property. IPD FarleyCampbell presented photos of the site, including the parking area for the site, and stated that the parking area originally proposed by the applicant would not meet requirements.

IPD FarleyCampbell stated that the applicant did not want to provide permanent covered parking because of her plans to add a second residence to the lot. She said that code allowed the applicant to provide parking in keeping with the surrounding properties. In this case, the majority of neighboring properties within 100-feet of the applicant's property did not provide covered parking, for a total of seven covered spaces and 16 uncovered spaces. She stated that the applicant would have to pave parking, even if uncovered.

IPD FarleyCampbell listed the conditions of approval. She said that the applicant would have to pave the first 50 feet of driveways from the street to the parking area, that the parking area would have to meet dimensional requirements, and that the applicant must screen neighboring properties from headlight glare by providing screening, either by installing slats in the existing chain-link fence in the area where those lights would shine or by planting vegetation at the front of the parking area. IPD FarleyCampbell added that the applicant would also have to obtain an access permit from Public Works to ensure that the transition to city streets is made correctly.

IPD FarleyCampbell stated that there were two referral comments from Siuslaw Valley Fire and Rescue and the Florence Police Department and neither had any concerns with the application. She said that staff recommended that the Planning Commission approve the application with the conditions mentioned. She stated that she could take questions from the Planning Commission.

Commissioner Muilenburg asked if the street frontage was on Redwood Street. IPD FarleyCampbell confirmed and stated that the front of the lot is always the narrow side of the lot. Commissioner Muilenburg asked if the curb cut would be on the Redwood Street side. IPD FarleyCampbell stated that there are three curb cuts, but that the applicant could do what they desired.

Commissioner Muilenburg asked where the secondary parking was located. IPD FarleyCampbell stated that the parking the applicant preferred to use was on the Redwood Street side, but was not deep enough to keep vehicles out of the right-of-way. Commissioner Muilenburg stated that it was unclear which parking area was proposed. He said that the staff report stated that the applicant proposed three spaces on 16th Street. He

asked if those were on the street. IPD FarleyCampbell stated that those proposed spaces were actually off of Redwood Street. Commissioner Muilenburg quoted the staff report section that said that the applicant proposed a second option to the east of the residence building. He said that he was confused by the locations mentioned in the staff report. IPD FarleyCampbell stated that the mention of 16th Street he mentioned should be Redwood Street. She stated that all mentions in the staff report of 16th Street should be replaced by Redwood Street and all mentions in the staff report of Redwood Street should be replaced by 16th Street.

Ray South asked if he could answer any questions. Chairperson Hoile stated that the Planning Commission would ask him questions after his testimony. Commissioner Muilenburg stated that the issue could be tabled until after Mr. South's testimony.

Commissioner Muilenburg stated that he was not sure what parking spots they would be approving.

Commissioner Muilenburg said that he wanted to talk about the 17-foot setback and stated that he understood that the sanctuary is a pre-existing non-conforming use. IPD FarleyCampbell stated that a multi-family residence would only be required to provide a 5-foot setback, but that a duplex does not qualify as a multi-family residence, but it would have to meet the same requirements as a single-family residence. She stated that the site plan submitted for a previous building permit showed a 20-foot setback, but there is likely only a 17-foot setback. Commissioner Bare asked what year the building permit was issued. IPD FarleyCampbell stated that she did not know, but believed it was in 2003 or 2004.

Commissioner Muilenburg asked if the single-family residence was approved and this building remained a pre-existing non-conforming structure, if that could be corrected if a design review was required later. IPD FarleyCampbell stated that a condition could be added that required that the area within the setback not be expanded or allow the building to fall under the code for pre-existing non-conforming uses, which allows up to 25% expansion of the building face that is within the setback. Commissioner Murphey stated that new construction would have to meet current code. IPD FarleyCampbell said that the only case where the property owner would be allowed to use the pre-existing non-conforming setback would be if the building burnt down.

Commissioner Muilenburg asked if code required double-striped parking spaces. IPD FarleyCampbell stated that the code was not specific regarding commercial vs. residential applications, but generally that code applied to commercial parking. She said that the Planning Commission could add a condition of approval requiring striped parking if desired.

Applicant's Representative Testimony – Ray South, Pacific 101 Realty, 2775 Highway 101, Ste. C, Florence, OR 97439

Mr. South began his testimony by stating that he thought this application was a win-win situation for the City and that staff had done a good job preparing the staff report.

Mr. South stated that there was a concrete parking spot alongside the residential building. He pointed out several features of the home on the aerial photo. He stated the applicant intends to retire in this home and build a duplex in the future. He stated that the approval of the application would allow the City to gain property taxes from the formerly tax-exempt property. Mr. South stated that the applicant is unable to obtain good financing because of the property's status as commercial.

Commissioner Muilenburg stated that when he visited the site, there were vehicles parked on an unpaved section. Mr. South stated that there were two possibilities, but the applicant would pave wherever the Planning Commission felt was appropriate. He added that the shed behind the house would probably be taken out.

Commissioner Muilenburg asked if the site was zoned Multi-Family Residential. IPD FarleyCampbell stated that the site was zoned Multi-Family, but the tax assessor's database classifies the building as commercial.

She stated that getting this approval would allow the applicant to obtain a lower interest rate for their financing.

Commissioner Murphey asked if the Planning Commission could require that an area be reserved for parking for future expansions. IPD FarleyCampbell stated that the applicant was not proposing a duplex at this time, but the Planning Commission could require that reservation. She added that future access by the alley may require that the alley be paved and that duplexes are permitted outright, so the parking would be looked at as part of the building permit application.

Chairperson Hoile asked for testimony from the public whether they were an opponent, proponent or neutral, but have a comment. There were no members of the public present.

IPD FarleyCampbell stated that one condition that was not pointed out on the presentation was Condition 7, requiring that the floodlight on the property be removed or disengaged.

Commissioner Muilenburg asked if the proposed parking spaces would be side-by-side or tandem. IPD FarleyCampbell stated that the code was changed recently to allow tandem parking. She stated that Condition 4 did not address tandem parking and gave only the dimensional requirements of 18' x 24'. She said that the Planning Commission could allow the applicant to provide their parking however they liked. Chairperson Hoile stated that she thought the applicant should be allowed to provide the parking as they desired.

Chairperson Hoile closed the hearing at 7:41 p.m.

Commission Discussion

Chairperson Hoile stated that Condition 4 should have the dimensional requirements of the parking area removed and require only that parking be provided for the required number of vehicles.

Chairperson Hoile stated that the streets adjacent to the property should be clarified throughout the staff report.

Commissioner Murphey moved to approve Resolution PC 14 09 CUP 05 with amendments as discussed, Commissioner Bare seconded the motion. By Voice All Ayes, with the exceptions of Commissioner Burns, who was absent. The motion carries.

ACTION ITEM:

OLD TOWN PARKING – RESOLUTION PC 14 05 TA 01: A proposal to amend Chapter 17 – Old Town District of the City of Florence Zoning Code (Title 10) in order to amend required parking regulations in the Old Town Area A zoning district by waiving parking requirements for changes of use, and reducing parking requirements by 50% for all new structures and additions. The hearing was continued from May 13, 2014.

Commission Discussion

PT Southerland presented the applicable code criteria for the zoning text amendment. He stated that changes were made as the Planning Commission discussed at the meeting of June 10, 2014. He summarized the changes and read the proposed text of the amendments. He also asked for the Planning Commission's input on each of the proposed sections of code and the effects of each of those proposed sections. PT Southerland stated that staff recommended that the Planning Commission make any needed changes and then forward the proposed amendments to City Council for possible adoption.

Commissioner Muilenburg stated that staff did a good job summarizing what the Planning Commission had talked about at the previous meeting. He said that staff did bring up a couple of scenarios that the Planning Commission needed to discuss, however. Chairperson Hoile stated that it would be concerning to have a change of use eliminate parking spaces only to need them again after another change of use. Commissioner Bare stated that he thought it was likely that it would happen. Commissioner Murphey stated that there was no additional parking available, so parking should be required to be retained. Commissioner Muilenburg stated that his opinion was that businesses in Old Town should not be required to provide more parking, but also should not be allowed to provide less. CR Weese stated that she felt that subsection B for the proposed code section 4 covered that situation. PT Southerland stated that it was brought up as a concern for subsection C that the Planning Commission may want to allow some reductions in parking spaces. Commissioners Muilenburg and Murphey said that they did not want to allow any reductions in parking spaces. PT Southerland asked the Planning Commission if they wanted that to apply to leased parking spaces as well. Commissioner Muilenburg, Bare, and Murphey stated that they thought it should.

Commissioner Muilenburg stated he did not want to do anything to reduce the number of existing parking spaces. He said that an inventory was started of parking spaces in Old Town by PD Belson, but he did not know where that information went. IPD FarleyCampbell stated that she thought that work was done by Greg Butler, a former RARE intern for the department. Commissioner Murphey stated that he did not think that any new parking would be established and he liked the proposed code amendments. Commissioner Muilenburg stated, that as it applied to changes of use from residential to commercial, it was a two-edged sword because it did not require increases, but also did not allow decreases.

PT Southerland asked the Planning Commission if they wanted to include residences as a change of use prohibited from exemption in section 4 because the conversion from residential to commercial did not necessarily require new construction, but may necessitate an increase in available parking. Commissioner Murphey asked if language could be added that would be helpful to staff in the future. Chairperson Hoile asked if he meant with regard to the retention of parking. CR Weese asked if Commissioner Murphey meant that if there was a change of use application, without any addition, that the parking would be required to be retained. She stated that the applicable section would be C. Commissioner Muilenburg stated that it should read "or residences." He said that if a residence changed to commercial, that residence would have two parking spaces, which would need to be retained.

Chairperson Hoile asked if the responses provided by the Planning Commission answered staff's questions. PT Southerland stated that they did. CR Weese recommended that Number 5 of the proposed text state "to be determined by Planning Commission/Design Review Board approval." She also said that the code specifies that anyone requesting the 50% parking waiver would have to obtain Planning Commission/Design Review Board approval.

CR Weese stated that "to be determined by administrative review or Planning Commission/Design Review Board approval" should be added to allow administrative approvals. Commissioner Muilenburg stated that it would be good to include that so that the Planning Commission had the option to review proposals. CR Weese stated that the Planning Commission always had the ability to review proposals.

Commissioner Bare asked CR Weese to read Number 5 in its entirety. CR Weese read Number 5 of the proposed text amendment.

Commissioner Bare asked if PT Southerland wrote the memo and proposed code. PT Southerland confirmed. Commissioner Bare stated that PT Southerland did a great job.

IPD FarleyCampbell pointed out that subsection B and C prohibited businesses with excess parking from removing that parking. Commissioners Murphey and Muilenburg stated that they thought that the situation was okay. Commissioner Murphey said that they could lease the spots to someone else who wanted them. Commissioner Muilenburg stated that he felt that the Planning Commission would be doing the community a disservice by allowing the elimination of any parking in Old Town.

Commissioner Muilenburg moved to approve Resolution PC 14 05 TA 01, Commissioner Murphey seconded the motion. By Voice All Ayes, with the exceptions of Commissioner Burns, who was absent. The motion carries.

DISCUSSION ITEMS

Commissioner Murphey thanked staff for making the Commissioner's jobs easier. Commissioner Bare and Chairperson Hoile agreed.

Commissioner Muilenburg stated that he noticed that Code Enforcement in the Director's Report. IPD FarleyCampbell stated that Code Enforcement Officer Dan Frazier was doing a great job and that she hoped to add case statuses in the next report. She suggested that CEO Frazier could possibly come to the next meeting so that the Planning Commission could meet him.

Commissioner Murphey asked when CEO Frazier would be made a permanent employee. IPD FarleyCampbell stated that he already had been and his first day as a permanent employee had been July 1, 2014. IPD FarleyCampbell stated that CEO Frazier had been very successful in helping the community.

DIRECTOR'S REPORT

IPD FarleyCampbell stated that staff had attended the Lane County Board of Commissioners meeting approving the co-adoption of the Transportation System Plan. She said that the Board of Commissioners voted 5-0 to approve the co-adoption and now the plan needed approval by the state.

IPD FarleyCampbell reported that City Council had initiated a vacation procedure for an alley the night previous on July 21, 2014. She said that the vacation would come before Planning Commission on August 26, 2014.

CR Weese stated that there were three open positions for City Council and August 26, 2014 was the deadline.

CALENDAR

The Planning Commission discussed the upcoming calendar. The next meeting is scheduled for August 26, 2014 at 7:00 p.m.

Chairperson Hoile adjourned the meeting at 8:09 p.m.

Cheryl Hoile, Planning Commission Chairperson

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 14 10 VAC 01

IN THE MATTER OF A RECOMMENDATION FROM THE PLANNING COMMISSION TO THE CITY COUNCIL FOR THE VACATION OF THE 10-FOOT WIDE ALLEY EXTENDING THE LENGTH OF BLOCK 45 OF FRASIER & BERRY'S PLAT PART OF THE CITY OF FLORENCE AS PLATTED AND RECORDED IN BOOK 2, PAGE 1, LANE COUNTY, OREGON PLAT RECORDS, LYING EAST OF THE EASTERLY RIGHT OF WAY LINE OF OAK (HOWARD) STREET AND WEST OF THE WESTERLY RIGHT OF WAY LINE OF VACATED PINE (FRASIER) STREET, IN LANE COUNTY, OREGON.

WHEREAS, application was made by Ted and Patricia Wiemer, owners of the Ocean Breeze Mobile Court, for the vacation of the alley abutting their property; and

WHEREAS, the applicant has received the signatures of 100 percent of all abutting and affected property owners; and

WHEREAS, the Planning Commission met in a duly advertised public hearing on August 26, 2014 as outlined in Florence City Code 8-3-5-1, to consider the application, evidence in the record, and testimony received, and

WHEREAS, the Planning Commission determined per FCC 8-3-5, after review of the application, testimony and evidence in the record, that the application meets the criteria; and

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

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Florence finds, based on the Findings of Fact and the evidence in record that the request for vacation of the alley located in Block 45 of Frasier & Berry's Plat Part of the City of Florence meets the applicable criteria of the Florence City Code.

The Florence Planning Commission recommends that the request be granted by the Florence City Council. Approval shall be shown on Exhibit "A": The Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision.

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

1. Approval shall be shown on:

"A" *Findings of Fact*

"B" Petition for Alley Vacation

“C” Map of Area to be Vacated
“E” Referral Comments from PWD Miller

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

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed “Agreement of Acceptance” of all conditions of approval prior to filing of the City Council Ordinance approving the vacation.
3. The applicant shall provide a survey and legal description prior to the City Council hearing approving or denying the vacation of the alley.
4. The applicant shall provide a map showing the applicant’s property following proposed lot line adjustments with abutting property owners prior to a City Council hearing approving the vacation.
5. The applicant shall provide an easement for underground utilities within the alley per referral comments from Public Works Director Mike Miller prior to a City Council hearing approving the vacation.

ADOPTED BY THE FLORENCE PLANNING COMMISSION the 26th day of August, 2014.

CHERYL HOILE, Chairperson
Florence Planning Commission

DATE

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

Public Hearing Date: August 26, 2014
Date of Report: August 18, 2014
Application: PC 14 10 VAC 01

Planning Technician:
Glen Southerland

I. PROPOSAL DESCRIPTION

Proposal: An application for vacation of an alleyway traversing east to west in Block 45 of Frasier & Berry's Plat Part of the City of Florence between 26th and 27th Streets, east of Oak Street.

Applicant: Ted & Patricia Wiemer, Owners of Ocean Breeze Mobile Court

Property Owner: City of Florence

Location: East-west alley in Block 45, Frasier & Berry's Plat Part of the City of Florence
Mid-block between 26th and 27th Streets, east of Oak Street

Comprehensive Plan Map Designation: High Density Residential

Zone Map Classification: Multi-Family Residential

Surrounding Land Use / Zoning:

Site: Undeveloped Alley / Multi-Family Residential
North: Ocean Breeze Mobile Court / Multi-Family Residential
South: Single-Family, Parking Lot & Vacant/ Multi-Family Residential
East: Holiday Bowl & Siuslaw Valley Fire and Rescue Station 1/ Highway
West: Siuslaw Middle School / Multi-Family Residential

Streets / Classification:

West – Oak Street / Collector; North – 27th Street / Local; East – None; South – 26th Street / Local

II. NARRATIVE:

The Ocean Breeze Mobile Court was first established as Cox's Mobile Home Court at some point prior to 1975, when a number of permits to place homes on the site were obtained by the owner of record, Alva Cox.

At the time it was established, the mobile home court had 24 lots. A 25th lot was added when Pine Street was vacated south of 27th Street, west of Holiday Bowl. The east-west alley in Block 44 of Frasier and Berry's Plat Part of the City of Florence

north of 27th Street was also vacated, but the section of Pine Street adjacent to this block was not.

Ted and Patricia Wiemer, owners of Ocean Breeze Mobile Court, have petitioned to have the alley mid-block of Block 45 of Frasier and Berry's Plat Part of the City of Florence vacated. They applied for the vacation on June 30, 2014. City Council initiated the vacation on July 21, 2014 following a hearing to consider public interest in the vacation.

The applicant has obtained approval from Public Works to begin work in the alley and remove vegetation. The applicant intends to remove a Central Lincoln PUD utility pole and install underground electrical utilities from the alley to the lots north of the alley.

The applicant has also indicated that he intends to obtain all vacated portions of the alley granted to the property owner to the south, Ed Scarberry, and to the southeast, Siuslaw Valley Fire & Rescue.

As part of the vacation procedures, the Planning Commission is tasked with providing a recommendation to the City Council regarding whether the vacation serves the public interest and if the vacation affects the goals for the Florence Comprehensive Plan or Section 10-1-1-3 of Florence City Code.

III. NOTICES & REFERRALS:

Notice: On August 7, 2014 notice was mailed to surrounding property owners within 200 feet north and south of the area to be vacated and 400 feet east and west of the area to be vacated. Notice was published in the Siuslaw News on August 20, 2014.

Since vacations are not a land use issue, they only require that a notice be mailed to property owners at least seven days prior to a public hearing. This stage of the vacation procedures does not require newspaper notice or a posted notice on the area to be vacated.

At the time of this report, the City had received no written comments on the application.

Referrals: On August 7, 2014 referrals were sent to the Florence Building Department, Florence Public Works, Central Lincoln PUD and Siuslaw Valley Fire and Rescue.

At the time of this report, the City has only received comments from PWD Miller concerning an easement being needed for the underground electric utilities which the Mobile Court owner and applicant will be placing to replace the utility pole currently in the alley.

IV. APPLICABLE REVIEW CRITERIA

Florence City Code, Title 8:

Chapter 3: Property Vacations, Sections 3-3, 3-4-1 thru 3-4-3, 3-5-1, and 3-5-2

Florence City Code, Title 10:

Chapter 36: Public Facilities, Section 2-1-A

Oregon Revised Statutes:

ORS 271.160: Vacations for purposes of rededication

Florence Realization 2020 Comprehensive Plan:

Chapter 8: Parks, Recreation and Open Space, Recommendation 9

V. PROPOSED FINDINGS

FLORENCE CITY CODE

TITLE 8: CHAPTER 3: PROPERTY VACATIONS

8-3-3: INITIATION: Proceedings for the vacation of a public way or part thereof, may be initiated upon petition of the abutting owner(s) or upon the majority vote of the Council. The petition of the abutting owner(s) shall be accompanied by an application fee set by resolution. The fee is to cover administrative costs and the costs of publication and notice, and is not refundable.

The applicant applied for vacation of the alley on June 30, 2014. At their July 21, 2014 meeting, the Florence City Council initiated the vacation of the alley. The applicant has obtained 100% approval of abutting property owners and 100% of affected property owners.

By the definition of "Affected Property" included in FCC 8-3-2: Definitions, no others besides the five listed affected property owners: Ted and Pat Wiemer, Ed Scarberry, Siuslaw Valley Fire and Rescue, Siuslaw School District 97J, and Florence Coastal Hardware Co, are affected properties. The definition of an affected property is as follows (From FCC 8-3-2):

The land lying on either side of the public way or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the public way for 400 feet along its course beyond each terminus of the part proposed to be vacated to its termini, the land embraced in an extension of the public way for a distance of 400 feet beyond each terminus shall also be included.

For these purposes, only signatures were collected from property owners extending 400 feet east and west of the area to be vacated and to the next parallel streets to

the north and south, rather than the full 200 feet. All parties within the 200'x400' area were noticed by mail.

8-3-4: DETERMINATION OF VALUE:

8-3-4-1: COUNCIL HEARING ON INITIATION: Upon receiving the petition for vacation the City Manager shall set a public hearing before the Council to make a preliminary determination of the public interest in the vacation, if any, and to determine the value of the public way to be vacated if the vacation appears to be in the public interest. Not less than five days prior written notice of the hearing shall be given to the petitioners and the owner(s) of affected property. Such notice shall be by first class U.S. Mail to such property owners as shown in the latest Lane County tax assessment roll or upon the City's utility records.

Notice was mailed to affected property owners on July 15, 2014 prior to the initiating City Council meeting on July 21, 2014.

8-3-4-2: CRITERIA: In determining the value of the public way to be vacated other than an alley, the Council shall consider any relevant appraisals the City possesses and the public information in the files of the Lane County Assessment and Taxation Department or its successor agency. Except for direct uses by a public body supported by local property taxes, in the absence of more relevant information the Council shall calculate the value based on the square foot value of abutting real property as shown on the current Lane County assessment roll, less a percentage for easements retained for public use. The abutting owner(s) may request the Council to obtain other evidence of value from a licensed real estate appraiser hired by the City. All such appraisal costs shall be borne by the requesting abutting property owner(s). The Council may consider this evidence and adjust its determination of value as the Council may find to be just and equitable. The basis for any such adjustment shall be stated on the record at the time the Council takes action. No determination of value shall be made or assessed to abutting property owners hereunder if the public way being vacated is an alley. (Ordinance No. 11, Series 1996)

Because the area to be vacated is an alley, no determination of value was made or assessed for the vacation of the alley.

8-3-4-3: ACTION: After the hearing is closed, the Council may deny the petition or may forward the petition to the Planning Commission for its recommendation and shall set the amount of the assessment.

The City Council initiated vacation of the alley on July 21, 2014 and forwarded the petition to the Planning Commission for recommendations. No value will be set for the assessment of the alley.

8-3-5-1: PLANNING COMMISSION HEARING: Upon referral of vacation proceedings from the Council, the City Manager shall set a public hearing before

the Planning Commission. Notice shall be given at least seven days before the public hearing by mailing the notice to the petitioner(s), affected property owners and others appearing on the matter before the Council in its hearing under subsection 8-3-4-1.

Notice was mailed to the applicant, affected property owners, and others within the 200'x400' area of effect. These notices were mailed on August 7, 2014, more than 7 days prior to the Planning Commission public hearing on the subject.

8-3-5-2: ACTION: After the hearing is closed, the Planning Commission shall determine whether the public interest will be served or prejudiced by the vacation of the public way or part thereof. In determining whether the public interest will be served or prejudiced, the Planning Commission shall consider the goals of the Florence Comprehensive Plan and Section 10-1-1-3 of this Code. The Planning Commission's decision shall be in the form of a recommendation to the Council.

The Planning Commission shall determine if the vacation will affect any public interest or if any public interests will be served by the vacation. The Florence Realization 2020 Comprehensive Plan criteria does not reference this alley nor the vacation of any alleys which are not included as part of the Transportation System Plan. This alley is not included as part of the Transportation System Plan. Florence City Code 10-1-1-3 is addressed below.

TITLE 10: CHAPTER 36: PUBLIC FACILITIES

10-36-2-1: Development Standards. The following standards shall be met for all new uses and developments:

- A. All new lots created, consolidated, or modified through a land division, lot line adjustment, lot consolidation, or street vacation must have street frontage and approved access to a street.**

The lots abutting this alley have approved access to surrounding streets and the vacation of the alley will have no effect on street frontage. The applicant intends to use the alley for access to Ocean Breeze Mobile Court, moving the side lot line and driveway away from the existing homes, as well as eliminating an area that was previously unmaintained by adjacent property owners.

The mobile homes located on the applicant's property currently have street access from 27th Street. Each home in the Mobile Court south of 27th Street has a driveway with curb cut on 27th Street. Homes north of 27th Street gain access from a private driveway where no backing onto the street is required.

OREGON REVISED STATUTES

CHAPTER 271 – USE AND DISPOSITION OF PUBLIC LANDS GENERALLY; EASEMENTS

271.160 Vacations for purposes of rededication. No street shall be vacated upon the petition of any person when it is proposed to replat or rededicate all or part of any street in lieu of the original unless such petition is accompanied by a plat showing the proposed manner of replatting or rededicating. If the proposed manner of replatting or rededicating or any modification thereof which may subsequently be made meets with the approval of the city governing body, it shall require a suitable guarantee to be given for the carrying out of such replatting or rededication or may make any vacation conditional or to take effect only upon the consummation of such replatting or rededication.

The applicant has indicated that he intends to acquire all portions of the vacated alley of Block 45 of Frasier and Berry's Plat Part of the City of Florence from abutting landowners after the completion of the vacation procedure. The applicant has been made aware that this requires a lot line adjustment and permission from the abutting property owners. The applicant shall provide documentation indicating the lot lines of his property and those of his neighbor prior to approval by the City for a lot line adjustment.

The vacation of the alley will not be conditioned upon the agreement of abutting land owners to a lot line adjustment. The vacation of the alley shall be final and any other property adjustments shall require a separate application and review.

FLORENCE REALIZATION 2020 COMPREHENSIVE PLAN

CHAPTER 8: PARKS, RECREATION AND OPEN SPACE

RECOMMENDATIONS:

9. The City should review the listing of rights-of-way suitable for recreation use prior to vacating public rights-of-way.

The right-of-way proposed for vacation is not listed in Table 13: Inventory of Lands Important to Park System – Road Rights-of-way of Appendix C of the Florence Parks and Recreation Master Plan, 2011 (Park System Master Plan – Part 2, 1986). Pine Street from 25th to 29th Streets was included as part of this inventory, but was vacated regardless. With the vacation of Pine Street, the alley does not traverse the full length of the block nor does the alley have an outlet. The alley is generally unsuitable for any public recreational uses.

VI. ALTERNATIVES

- 1. Approve the application based on the findings of compliance with City regulations.**
- 2. Modify the findings, reasons or conditions, and approve the request as modified.**

3. Deny the application based on the Commission's findings.
 4. Continue the Public Hearing to a date certain if more information is needed.
-

VII. CONCLUSIONS AND RECOMMENDATIONS

Staff finds that the proposed application meets the requirements of City Code with conditions, and recommends that the Planning Commission provide a recommendation of approval of the vacation to the City Council subject to the conditions listed below.

VIII. CONDITIONS OF APPROVAL

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

1. Approval shall be shown on:

"A" *Findings of Fact*

"B" Petition for Alley Vacation

"C" Map of Area to be Vacated

"E" Referral Comments from PWD Miller

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

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval prior to filing of the City Council Ordinance approving the vacation.
3. The applicant shall provide a survey and legal description prior to the City Council hearing approving or denying the vacation of the alley.
4. The applicant shall provide a map showing the applicant's property following proposed lot line adjustments with abutting property owners prior to a City Council hearing approving the vacation.

5. The applicant shall provide an easement for underground utilities within the alley per referral comments from Public Works Director Mike Miller prior to a City Council hearing approving the vacation.
-

IX. EXHIBITS

"A" Findings of Fact
"B" Petition for Alley Vacation
"C" Map of Area to be Vacated
"D" Applicant Correspondences with Abutting Property Owners
"E" Referral Comments from PWD Miller

**CITY OF FLORENCE
PETITION FOR STREET AND/OR ALLEY VACATION**

I Theodore E. Wiemer, who resides at 10775 SW North Dakota, Tigard, OR 97223, 503-968-7042.

The undersigned, owners of legal and/or equitable title to the real property abutting the proposed vacation herein, do hereby petition the City Council of Florence, Oregon to vacate the following described area:

Alleyway behind nine mobile homes in Ocean Breeze Mobile Home Court on 27th street.

The purpose for which the ground is to be used is to provide better access to the back of said homes and for off street parking of R.V.'s, cars, and other equipment.

The reason for the vacation is to move electric power and utilities underground for said mobile homes and to be able to access area for general clean up of property line.

I, Theodore E. Wiemer understand that I may be expected to pay an assessment for benefits accruing to me from the acquisition of the property that becomes my possession after final vacation proceedings.

Theodore E Wiemer 6/29/2014
Signature of Petitioner Date

Patricia M Wiemer 6-29-14
Signature of Petitioner Date

Attached to the petition are:

1. A map showing area to be vacated.
2. Consenting signatures of owners of 2/3 of the property within the affected area.
3. An application fee of \$3000.00



EXHIBIT B

June 18, 2014

To: City of Florence

Fr: Ed D. Scarberry

Re: Vacation of alley between west 26th and 27th streets

Please accept this as my official notice pertaining to the proposed alley vacation between the property lines of Ted Wiemer and Ed Scarberry located between West 26th and 27th streets, just off Oak Street.

Mr. Wiemer and I have discussed his proposal for the alley and I have decided to **not** participate in the vacation procedure. I have no desire to acquire 50% of the alley width since I have no use or need for that additional square footage. I have informed Mr. Wiemer of this decision and he is in accordance of his being the sole beneficiary of said alley vacation.

All expenses, needed paperwork, and any meetings for this alley vacation will be the total responsibility of Mr. Wiemer. I wish him well with this endeavor and am pleased someone will finally be able to make use of that "no-man land" that has existed between our properties for years.

If there is additional information needed from me, or an official City document I need to sign, please feel free to contact me.

Thank you for allowing my input on proposed alley vacation. As an adjoining property owner, I will have no objections to this when I receive legal notification as required by law.

Respectfully,

A handwritten signature in cursive script that reads "Ed D. Scarberry". The signature is written in dark ink and is positioned above the printed name.

Ed D. Scarberry

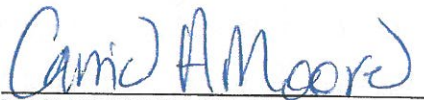
83981 Clear Lake Rd.

Florence, OR 97439

STATE OF OREGON)
) ss.
COUNTY OF LANE)

BE IT REMEMBERED, on this 17 day of June, 2014, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the above named **Ed D. Scarberry**, known or proven to me to be the identical individual(s) described in said instrument, and who acknowledged this instrument to be a voluntary act and deed.





NOTARY PUBLIC FOR OREGON
My commission expires: May 22, 2016

NAME OF OWNER SIGNATURE OF OWNER MAP NO. and TAX LOT NO.

[illegible]

All owners of property within the affected area are the following; and owners of AT LEAST two-thirds (2/3) of affected property hereby consent to said vacation:

NAME OF OWNER

SIGNATURE OF OWNER

MAP NO. and TAX LOT NO.

#3 Mike LEMHOUSE Mike Lemhouse 1812233202400
 Steve Lemhouse ~~Steve Lemhouse~~
 Paul Lemhouse ~~Paul Lemhouse~~
 Tim Lemhouse Tim Lemhouse



Theodore Wiemer
10775SW North Dakota Street
Tigard, OR 97223
(503) 968-7042 HM
(503) 924-0566 CELL
able@verizon.net

John Scott, Board President
Siuslaw Valley Fire & Rescue
2625 Highway 101
Florence, OR 97439

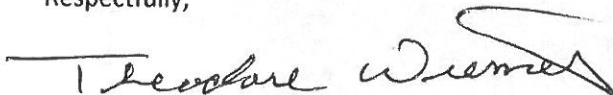
June 18, 2014

President Scott,

I am sending you this letter as formal documentation of a conversation I had with Siuslaw Valley Fire & Rescue (SVFR) Fire Chief Jim Langborg on June 17, 2014 regarding improvements to the south of the property I own at 1699 27th Street in Florence, OR (Lane County Tax Lot 18-12-23-320-2700). During the conversation with Chief Langborg I agreed that in exchange for SVFR's cooperation to allow me to utilize an adjacent alley for better access to my property I will build at my expense any needed fencing and will add to any existing SVFR fencing to ensure the security of SVFR's property from foot traffic.

Additionally, I agree that in the event SVFR purchases the property located at 1659 26th Street (Lane County Tax Lots 18-12-23-320-2801, 18-12-23-320-2802, 18-12-23-320-2803), I will not oppose the purchase. I also agree that if SVFR builds training structures, other structures, additions to the existing fire station, fencing, landscaping, or any other needed change on this property or their existing property, I will not oppose it. I also agree that I will not oppose any training or other SVFR operationally related activities on this property. Finally, I agree that if I sell or bequeath my property the continuation of this agreement shall be a condition of selling or transferring the property and shall remain in effect with all future owners of this property (Lane County Tax Lot 18-12-23-320-2700) for so long as SVFR owns and utilizes the property located at 1659 26th Street (Lane County Tax Lots 18-12-23-320-2801, 18-12-23-320-2802, 18-12-23-320-2803). Thank you for your time and willingness to work with me.

Respectfully,



Theodore Wiemer

Attachment-1



*This graphic was uploaded 06/17/2014 and depicts the properties discussed in an agreement letter
With Theodore Wiemer dated June 17, 2014.*

All owners of property within the affected area are the following; and owners of AT LEAST two-thirds (2/3) of affected property hereby consent to said vacation:

NAME OF OWNER

SIGNATURE OF OWNER

MAP NO. and TAX LOT NO.

Siushan School District

SIGNATURE OF OWNER
Ethel Angal

Maplot 1812220000300 #1

property #

P:\Community Development 2\App Forms\VACATION PROCEDURE.doc

Oak St

1600

1099-10 1099-15 1099-13 1099-12 1099-10 1099-9

1099-14 1099-11

1701

1703

1702

1779

1700

2775-A

2775-B

2775-C

1700-A

1700-B

1700-C

1807

181

180

EXHIBIT C

July 14, 2014

To: Ted Weimer

Fr: Ed Scarberry

Re: Vacation of alley between West 26th & 27th streets



I am writing this as a follow up to my letter of June 18, pertaining to a proposed alley vacation between our properties. Although I have signed off on my participating in the vacation of said alley, I do have a few concerns and feel the need to clarify my position, especially regarding a new proposed fence.

I have been told several times "*you will be getting a new fence*" as a result of this alley vacation. I want to make it perfectly clear that the proposed new fence will be under your **total** ownership.

As this new fence will be your "good neighbor fence", I expect this new fence to be totally on your newly acquired alley land. I expect your fence be on the outside of my property line for the entire length of our contiguous property line. Since you will gain 10 feet, there will be no problem going north of my northern property line for fence placement. A few inches over the line will be sufficient. It is common practice to approach a fence installation in this manner.

I have discussed this previously with your contractor but feel this letter is needed to clarify and make others aware of the issue. I also wanted to restate that when the time comes, as I told you in person, I will take down the old fence and deal with removing the posts and boards. I need to be given ten (10) days minimum advance notice of your contractor needing it down. This will allow me sufficient time to remove the old fence properly and cleanly. Notifying me just before applying for your new fence permit from the City should allow ample notice. I am unsure of the City's time-frame in approving a fence permit request, but at any rate, I do need a 10 day advance notice to remove my existing fence.

I do have a request: May we access the current alley via your back drive entrance? We would like to place a few loads of clean fill sand in a low area at the back of my property. Currently, we cannot access said alley without encroaching on your property since the alley has never had direct access off Oak Street. Please provide me with a written permission note if this is acceptable to you.

Thank You,

A handwritten signature in black ink that reads "Ed Scarberry".

Ed Scarberry

Wendy - mailed this letter to Mr. Wiemer and have included you to bring you up to date. Also included previous letter for his alley vacation.

Thanks

Ed

Cc: Wendy Farley, Planning Dept.

Dan Frazier, Code Enforcement Officer,

Marvin Tipler, Siuslaw Valley Fire and Rescue,

Kathleen Aitken, Central Lincoln PUD

EXHIBIT D

June 18, 2014



To: City of Florence

Fr: Ed D. Scarberry

Re: Vacation of alley between west 26th and 27th streets

Please accept this as my official notice pertaining to the proposed alley vacation between the property lines of Ted Wiemer and Ed Scarberry located between West 26th and 27th streets, just off Oak Street.

Mr. Wiemer and I have discussed his proposal for the alley and I have decided to **not** participate in the vacation procedure. I have no desire to acquire 50% of the alley width since I have no use or need for that additional square footage. I have informed Mr. Wiemer of this decision and he is in accordance of his being the sole beneficiary of said alley vacation.

All expenses, needed paperwork, and any meetings for this alley vacation will be the total responsibility of Mr. Wiemer. I wish him well with this endeavor and am pleased someone will finally be able to make use of that "no-man land" that has existed between our properties for years.

If there is additional information needed from me, or an official City document I need to sign, please feel free to contact me.

Thank you for allowing my input on proposed alley vacation. As an adjoining property owner, I will have no objections to this when I receive legal notification as required by law.

Respectfully,

A handwritten signature in black ink that reads "Ed D. Scarberry".

Ed D. Scarberry

83981 Clear Lake Rd.

Florence, OR 97439

*copy mailed to Mr. Wiemer
at above date*

From: [Ed Scarberry](#)
To: [Wendy Farley-Campbell](#)
Subject: Wiemer alley vacation
Date: Monday, July 21, 2014 8:35:37 AM

Hi Wendy,

I wanted to get a short note to you about the meeting tonight and the alley vacation for Mr. Wiemer.

I did drop off a couple letters last week for you to see, the first was the letter about my forgoing participating in the alley vacation, the second being my letter to Mr. Wiemer concerning his new proposed fence.

I will not be able to attend the meeting tonight, but did receive a call from Mr. Wiemer. He and I will meet today to discuss my letter to him.

I still support his goal of acquiring the 10 feet of alley for his own use. Basically, he has 'owned' that alley since I bought the property years ago. The correct placement of the alley access was never made and the only access has been on his property, where it remains today.

My concerns were outlined in my letter to him concerning the proper fence ownership and placement. There is an issue of power pole realignment also but Central Lincoln PUD have been informed of those concerns.

I just wanted to touch base with you before the Council meeting tonight in case a comment may have been expected from me.

Thank you,

Respectfully,

Ed Scarberry

83981 Clear lake Road,
Florence, OR

7-18-2014

Ed Scarberry
83981 Clear Lake Rd.
Florence, Oregon
97439



Dear Ed Scarberry

As requested I am writing this letter giving you or your representatives access to the back of your property upon notification so that we may tell our people that you will be working on your side of the fence and need access.

This letter is good for as long as you own the adjoining property.

When and if the alley is vacated you or your representative can use the drive way that will be in place soon, again with a phone call so that our tenants can be notified that there will be someone back there doing work and you have the permission to be there.

Please call the Park manager, Roger Witherite at 541-997- 7016
or myself
Ted Wiemer, 503 968 7042

At anytime if there are questions or concerns feel free to call.

Regards

A handwritten signature in black ink, appearing to read "Ted Wiemer", with a long horizontal line extending to the right.

Ted Wiemer
Owner, Ocean Breeze Mobile Home Court

Glen Southerland

From: Mike Miller
Sent: Tuesday, July 15, 2014 8:27 AM
To: Glen Southerland
Cc: Wendy Farley-Campbell
Subject: RE: 26th/27th Alley Vacation

We're clear. I understand that the PUD poles were on private property and is now being placed underground within the alley right-of-way. We'll need to reserve an easement for the PUD.

Mike

From: Glen Southerland
Sent: Monday, July 14, 2014 11:50 AM
To: Mike Miller
Cc: Wendy Farley-Campbell
Subject: 26th/27th Alley Vacation

Hi Mike,

I wanted to check with you to see if there are any utilities that you know of (besides PUD power) in the alley between 26th and 27th Streets, east of Oak [here](#).

Let me know if need any more information or if you had any comments prior to the City Council meeting. The AIS will be written tomorrow.

Thank you,
Glen Southerland
Planning Technician
City of Florence Planning Department
www.ci.florence.or.us
250 Highway 101
Florence, OR 97439
Phone: (541) 997-8237

The City of Florence is an equal opportunity employer and service provider.

PUBLIC RECORDS LAW DISCLOSURE:

This email is a public record of the City of Florence and is subject to public inspection unless exempt from disclosure under Oregon Public Records Law. This email is also subject to the City's Public Records Retention Schedule.

Glen Southerland

From: Mike Miller
Sent: Friday, August 15, 2014 9:53 AM
To: Glen Southerland
Subject: RE: PC 14 10 VAC 01 - 26th/27th Street Alley Vacation

Hi Glen,

Florence PW is supportive of the application to vacate the undeveloped alley between 26th and 27th streets east of Oak Street. Central Lincoln PUD (CLPUD) owns and operates overhead electrical utilities in this areas. Provisions and establishment of a permanent utility easement will be necessary for the utility. The applicant or the CLPUD will need to develop an easement description as well as having it properly recorded with Lane County.

Thank you,

Mike

From: Glen Southerland
Sent: Thursday, August 07, 2014 5:00 PM
To: Mike Miller; Jim Langborg (jlangborg@svfr.org); sean@svfr.org; Eric Rines; rhicks@cencoast.com; ddawson@cencoast.com
Cc: Wendy Farley-Campbell
Subject: PC 14 10 VAC 01 - 26th/27th Street Alley Vacation

Greetings,

The purpose of this notice is to acquaint you with a proposed development, to gather information you may have about the project, and provide an opportunity to comment and express concerns related to the approval criteria, prior to the Planning Commission's decision to approve or deny the project proposal.

FILE CC 14 05 VAC 02 – 26th/27th ALLEY VACATION: An application by Ted and Patricia Wiemer to initiate the vacation of an undeveloped alley between 26th and 27th Streets east of Oak. The alley extends for the length of Block 45 of Frasier & Berry's Plat Part of the City of Florence (illustrated on the next page). The applicant proposes that the City vacate and sell this area to abutting property owners. Utilities in this right-of-way include Central Lincoln PUD electrical services. The applicant has obtained the approval of 100% of abutting property owners.

If you have any questions, please feel free to contact me.

Thank you,

Glen Southerland
Planning Technician
City of Florence Planning Department
www.ci.florence.or.us
250 Highway 101
Florence, OR 97439
Phone: (541) 997-8237

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**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 14 12 EAP 01

A REQUEST FOR A ONE-YEAR EXTENSION TO THE APPROVED CANNERY STATION PHASE 1 PRELIMINARY SUBDIVISION, AND PHASE 1 DESIGN REVIEW, LOT 1, OF THE CANNERY STATION FINAL PUD, PHASE 1, ASSESSORS MAP # 18-12-14-20 TAX LOT 700.

WHEREAS, application was submitted by Chuck McGlade, representing the Alfero Trust, for an extension to the approved Cannery Station Preliminary Subdivision, Resolution PC 12 13 SUB 01, and the approved Cannery Station Design Review, Resolution PC 12 14 DR 01, as required by FCC 10-1-1-5, FCC 10-6-9, and FCC 10-23-11; and

WHEREAS, the Planning Commission/Design Review Board met in a duly-advertised public hearing on August 26, 2014 as outlined in Florence City Code 10-1-1-5, to consider the application, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission/Design Review Board determined per FCC 10-6-9 and FCC 10-23-11, after review of the application, testimony and evidence in the record, that the application meets the criteria; and

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

NOW THEREFORE BE IT RESOLVED that the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact and the evidence in record that the request for a one-year extension to the approved Cannery Station Preliminary Subdivision, Phase 1, and Design Review, Phase 1, Lot 1, meets the applicable criteria of the Florence City Code.

The Planning Commission approves the request for a one-year extension of Resolutions PC 12 13 SUB 01 and PC 12 14 DR 01.

1. Approval shall be shown on:

”A” *Findings of Fact*

”B” Application for Extension

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

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval prior to issuance of a building permit.
3. The applicant shall abide by the Conditions of Approval of all previous land use approvals regarding Cannery Station, namely: PC 12 12 FPUD 01, PC 12 13 SUB 01, PC 12 14 DR 01, PC 11 12 EAP 02, and PC 08 09 PUD 01, except where those approvals conflict with this extension of approval periods, PC 14 12 EAP 01.
4. The Design Review deadline with this extension shall be one year from this date, ending on August 26, 2015. The deadline for Final Subdivision shall be extended to May 28, 2016.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 26th day of August, 2014.

CHERYL HOILE, Chairperson
Florence Planning Commission

DATE

STAFF REPORT & FINDINGS
FLORENCE COMMUNITY DEVELOPMENT DEPARTMENT
Planning Commission
Exhibit "A"

Public Hearing Date: August 26, 2014
Date of Report: August 18, 2014
Application: PC 14 12 EAP 01

Planning Technician:
Glen Southerland

I. PROPOSAL DESCRIPTION

Proposal: A request for a one-year extension of approval for the Preliminary Subdivision and Design Review for Phase 1 of the 17.8-acre mixed use development, Cannery Station.

Applicant: Chuck McGlade, representative for Alfero Trust

Property Owner: Alfero Trust

Location: Southeast corner of intersection of Highway 101 and Munsel Lake Road
Map 18-12-14-20 Taxlot 00700

Comprehensive Plan Map Designation: North Commercial Node

Zone Map Classification: North Commercial District

Surrounding Land Use / Zoning:

Site: Undeveloped / North Commercial
North: Undeveloped / North Commercial
South: Community Baptist Church / North Commercial
Northwood Apartments, Oregon State Police, Coast Broadcasting,
NAPA Auto Parts & Muffler Works / Highway
East: Florentine Estates / Single-Family Residential
West: Fred Meyer / North Commercial

Streets / Classification:

West – Highway 101 / Major Arterial Highway; North – Munsel Lake Road / Minor Arterial; East – None; South – None

II. NARRATIVE:

The 776,220 square-foot lot on the southeast corner of Munsel Lake Road and Highway 101 first received approval for the Cannery Station development in 2008. Prior to annexation in 1988, the site had an address of 87344 Munsel Lake Road. The site was previously occupied by a single-family residence accessed through the driveway on Munsel Lake Road, closest to the Highway 101 intersection. This area was zoned Single-Family Residential until at least 2000.

The former property owner, Arlie & Company was granted Preliminary PUD approval by the Florence Planning Commission on November 12, 2008 to develop the 17.8 acre site. As part of the 2008 Preliminary PUD approval, the City approved a Phasing Plan for Cannery Station that allowed for the approval of each subdivision in phases. The Final PUD, Subdivision, and Design Review applications could be submitted over a ten year period from the date of Preliminary PUD approval. The applicant has until November 12, 2018 to submit all phases of the project for approval before the expiration of the Preliminary PUD.

The original 2008 approval received a one-time, two-year extension on November 16, 2009 by the Florence City Council, with the option to apply to the Planning Commission for a 6-month extension. On November 22, 2011, the Planning Commission approved Resolution PC 11 12 EAP 02 extending the Preliminary PUD approval for six months.

In May of 2012, Teresa Bishow of Arlie & Company applied for a Final PUD, Preliminary Subdivision, and Design Review for Phase 1 of the Cannery Station development. This application included a preliminary subdivision of proposed lots 1-7. Lot 7 included the remainder of the site to be developed through future phases of the PUD. The Design Review application was for approval of Lot 1 of the 32-lots proposed.

On April 28, 2014, Interim Planning Director Kelli Weese mailed a reminder letter to Arlie & Company informing them that they should apply for an extension because the approval period granted by PC 12 12 FPUD 01, PC 12 13 SUB 01, and PC 12 14 DR 01 would begin to expire on August 13, 2014. Patricia Stroh, Controller of Arlie & Company, replied with a letter informing the Planning Department that since the most recent approval, ownership of the 776,220 square-foot lot was transferred to the Alfero Trust.

Representing the Alfero Trust is applicant Chuck McGlade, who sent a letter requesting extension, received by the department on July 15, 2014 and filed an application with the Planning Department soon thereafter on August 4, 2014.

III. NOTICES & REFERRALS:

Notice: On August 5, 2014 notice was mailed to surrounding property owners within 300 feet of the site. Notice was published in the Siuslaw News on August 20, 2014.

At the time of this report, the City had received no written comments on the application.

Referrals: On August 6, 2014 referrals were sent to the Florence Building Department, Florence Public Works, Central Lincoln PUD, Siuslaw Valley Fire and Rescue, Charter Communications, CenturyLink, OregonFAST.net, Coastcom Inc., Central Coast Disposal, County Transfer and Recycling, the Oregon Department of Transportation, Lane County Land Management, and the U.S. Postal Service.

At the time of this report, the City has received responses from Florence Public Works, Charter Communications, CoastCom Inc., OregonFAST.net, Central Lincoln PUD, the U.S. Postal Service, and Siuslaw Valley Fire and Rescue.

Public Works Director Mike Miller, Terry Vaughn of CoastCom Inc., Tiffany Rogato of OregonFAST.net, and Robin Hicks of Central Lincoln PUD stated that they had no concerns about the project at this time.

Lisa Herbert of the U.S. Postal Service stated that the “Postal Service would like to have delivery locations and Mode of Delivery Agreement signed prior to concrete being poured.” She added that the developer could contact her for more information.

IV. APPLICABLE REVIEW CRITERIA

Florence City Code, Title 10:

Chapter 1: Zoning Administration, Section 1-5

Chapter 6: Design Review, Section 9

Chapter 23: Planned Unit Developments, Section 14

V. PROPOSED FINDINGS

FLORENCE CITY CODE

TITLE 10: CHAPTER 6: DESIGN REVIEW

10-6-9: LAPSE OF DESIGN REVIEW APPROVAL: Authorization of a design review permit shall be void one (1) year after the date of approval of a design review 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:

- A. The request for an extension is made in writing prior to 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 of a design review permit if new land use regulations have been adopted that affect the applicant’s proposal. (Ord 26, 2008)

The applicant received Design Review approval on August 13, 2013 for Lot 1 of Phase 1. The complete request for an extension was received prior to the expiration of the original approval on August 4, 2014. The change in ownership from Arlie & Company to the Alfero Trust as well as the economic climate both qualify as special or unusual circumstances which would warrant an extension. In addition, no

changes of significance, beyond a recent zone change and Comprehensive Plan amendment northeast of the site, have occurred within close proximity of the site.

By Code, the applicant is eligible for a one-time extension of one-year maximum duration. Prior to expiration of the Design Review, the applicant must complete substantial construction to prevent a lapse of the approved Design Review. A lapse of the Design Review will require that a new Design Review approval be issued.

The Design Review will expire one-year after the approval of this extension on August 26, 2015.

TITLE 10: CHAPTER 23: PLANNED UNIT DEVELOPMENTS

10-23-14: EXPIRATION OF APPROVAL FOR A PUD:

- A. If the PUD includes creation of a subdivision, and approval of the subdivision has expired or is rejected as provided in Chapter 11-4 of this Code, the PUD approval is revoked as of the expiration or rejection date for the proposed subdivision.**
- B. If substantial construction or development of the PUD has not occurred in accordance with the approved final development schedule, said approval shall lapse at 18 months from the date of approval and shall no longer be in effect. The Planning Commission may, upon showing of good cause by applicant, extend approval for a period not to exceed 18 months.**

The deadline for submission of the Final Subdivision approval has not yet expired, but will expire on May 28, 2015. The Preliminary PUD was previously granted a 6-month extension through Resolution PC 11 12 EAP 02. The applicant is still eligible for an extension of 12 months after the approval has expired on May 28, 2015. The applicant must submit a Final Subdivision plan for approval before the end of the deadline.

VI. ALTERNATIVES

- 1. Approve the application based on the findings of compliance with City regulations.**
 - 2. Modify the findings, reasons or conditions, and approve the request as modified.**
 - 3. Deny the application based on the Commission's findings.**
 - 4. Continue the Public Hearing to a date certain if more information is needed.**
-

VII. CONCLUSIONS AND RECOMMENDATIONS

Staff finds that the proposed application meets the requirements of City Code with the conditions of approval outlined below, and recommends that the Planning Commission approve the extension of granted approvals for Cannery Station.

VIII. CONDITIONS OF APPROVAL

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

1. Approval shall be shown on:

"A" *Findings of Fact*

"B" Application for Extension

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

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval prior to issuance of a building permit.
 3. The applicant shall abide by the Conditions of Approval of all previous land use approvals regarding Cannery Station, namely: PC 12 12 FPUD 01, PC 12 13 SUB 01, PC 12 14 DR 01, PC 11 12 EAP 02, and PC 08 09 PUD 01, except where those approvals conflict with this extension of approval periods, PC 14 12 EAP 01.
 4. The Design Review deadline with this extension shall be one year from this date, ending on August 26, 2015. The deadline for Final Subdivision shall be extended to May 28, 2016.
-

IX. EXHIBITS

"A" Findings of Fact
"B" Application for Extension

CITY OF FLORENCE

Community Development Department, 250 Highway 101, Florence, OR 97439
Phone (541)997-8237 Fax (541)997-4109

APPLICATION FOR AN EXTENSION OF TIME

- | | | |
|---------------------------------------------------------|----------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Planned Unit Development |
| <input checked="" type="checkbox"/> Minor Design Review | | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Major Design Review | | <input type="checkbox"/> Minor Plat |

Resolution Number: PC 12 14 DR 01 Original Expiration Date: 8/13/14
PC Approval Date: 8/13/13 Revised Expiration Date: _____

APPLICANT INFORMATION

Applicant: Cannery Station Phone: 541 913 1273
Address: _____
Agent: Chuck McGlade Phone: 541 913 1273
Address: 4055 Spring Blvd Eugene, OR 97405
Property Owner: Alfero Trust Phone: 541 342 4340
Address: 4055 Spring Blvd Eugene, OR 97405

PROPERTY DESCRIPTION

Property Location (address, description of properties located directly north, south east and west):
Southeast corner of Munsel Lake Road & Hwy 101 in
North Florence

Map Number: 18 12 14 20 Lot Size: ~ 17 Ac.
Tax Lot: 700 Zoning Designation: _____

REQUEST DESCRIPTION

Basis for extension request (please be specific):

DECISION

Approved / Denied

Planning Commission Chairman

Community Services Director

9/1/04

RECEIVED
City of Florence

AUG 04 2014

By: gdfc

EXHIBIT B

Dear Ms. Neese,

Thank you for your letter
& for allowing me to extend
the permit process for
Canney Station.

I am working hard to bring
this project forward.

Could you please email me
so I know you received
this check?

Thanks.

Best to you

Chuck McGlade

541-913-1273

ctm@rapc.com



AGENDA ITEM SUMMARY**ITEM NO: 10.2****FLORENCE CITY COUNCIL**

Meeting Date: August 18, 2014

Dept: Planning & Building

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

Planning staff's major focus in July was processing seven applications for hearings at either Planning Commission or City Council. Overall, building and planning permits and customer service inquiries saw slight to moderate increases. EMAC prepared for the Black & White Recycling event (tires, appliances) scheduled for August 16th. TAC is preparing their recommendation to Council on the pilot project report. Code Enforcement performed a follow-up banner and sign code sweep gaining on-the spot compliance by providing "door-to-door" banner registration. With the summer in full swing there are an increasing number of illegal camping complaints.

STAFF ACCOMPLISHMENTS IN JULY**Customer Service**

Planning and building staff assisted 722 customers (counter, phone calls, or emails), a 6% increase from June. Below are estimates and a broad summary of these interactions.

Building	474	Planning	149	General	99
----------	-----	----------	-----	---------	----

- Zoning such as...what zoning district is a property, setback, fence regulations, property lines, and ability to develop or subdivide a property.
- Building such as when inspections are performed, overview of fee schedule and when permits are necessary.
- Research of plot plans, historic building and land use approvals for new business inquiries or proposed new work.
- Annexation and sewer extension requests.
- Environmental such as setbacks for wetlands, riparian areas and cutbanks.
- Solid waste, recycling and household hazardous waste.
- Rhody Express timetable, operations, TAC Committee.
- Street & alley vacations.
- Lane County permits and information about properties in Lane County.
- General inquiries such as utility availability, water service paying & starting, Porter Stage Lines schedule and location of pick-up, and business licensing.

Customer Service Comments – Planning & Building received no comments this month.

Building Department Activity

Overall permit activity in July was up 19% from June and permit income was up 9.5%. The number of electrical and building permits increased 47% and 53% respectively; while mechanical permits issued remained steady. Both plumbing and sign permits were down 60% and 100% respectively. There were 173 inspections scheduled and tracked, 15% less than last month. Below is an overview of additional staff accomplishments. Please see **Attachment 2** for an overview and status update.

- Prepared monthly Housing Census & McGraw Hill Reports.
- Coordinated with County staff for 5 new addresses.
- Performed five, level 3, records requests for building plans and permit information.
- Completed the 2013 Unit & Housing Population Questionnaire. This was 6 hours of research with site visits to Coast Village, Greentrees and the Mobile Home Parks.
- Moved remaining Commercial Building Plans from downstairs to the Justice Center.
- Identified four jobsites without building permits, two have applied and two we are still waiting for their applications.

Code Enforcement

Violations/Complaints	#	Resolved	Unresolved	Comment
Road / Sign Visibility	3		3	1 in progress, monitoring others
Signs and Banners	20	18	2	FM & Safeway yet to remove banners
Painted Curb	1		1	Paint removal scheduled
Graffiti	2	2		Cinema & Rite-Aid
Vegetation (too tall, or encroaching into ROW)	10	6	4	Sidewalk encroachments unresolved
Animal Complaints	10	10		2 roosters, 4 dog-at-large, 3 dogs in cars, 1 vicious kitty-cited
On-Street Parking > 72 hrs.	7 new 1 old	8		3 tagged, 1 towed
Alley Disputes	3	1	2	Illegal work & improvements
Illegal camping/RV living/Dilapidated housing	2	2		1 referred to state
Trash Accumulation	4	3	1	Progress being made on last property
Using Un-owned Land	1	1		Moved mailbox tree
Tree Hazard	1	1		PW evaluated & cut
Trespassing	1	1		Veterinarian walking dogs on neighbor's lot
Illegal Fence	1		1	Filed for variance
Old Town Parking Citations	21	20	1	Court date 8-16
Miscellaneous	6	5	1	

Current Planning

There were nine active land use applications in the month of July. Below is a summary of staff accomplishments. Please see **Attachment 1** for an overview and status update.

- Received additional materials for a conditional use permit application for a conversion from church to single family residence. Wrote staff report and conducted hearing for Planning Commission on July 22. PC approved.
- Wrote staff report and conducted hearing for Old Town parking amendments. Planning Commission resolved to pass recommendation for modified Old Town Parking Code Requirements to City Council.
- Staffed City Council hearing for Seifert/McGill Zone Change on July 7. Council approved. Appeal period ended on July 29.
- Staffed City Council hearing for Calosso fence appeal. Council upheld PC's decision. Agreement of Acceptance received, appeal period waived.
- Received application for zone change and annexation July 30 from Tim Sapp and Nancy Johnson.
- Received application for fence variance July 31 from Robert Leturno.
- Staffed City Council hearing for 26th/27th Street Alley Vacation. Council initiated vacation request and forwarded to Planning Commission on July 21st for recommendation at their hearing scheduled for August 26th.
- Held pre-development meetings with two separate parties about future land use projects and met with two developers for on-site inspections of approved projects.
- Addressed several inquiries regarding future land use projects.

Long Term Planning

- Comprehensive Plan Co-Adoption with Lane County – The Lane County Planning Commission recommended approval at their hearing on Co-Adoption of the Transportation System Plan portion of the process on April 15th. The Lane County Board of Commissioners conduct the first reading of the item at their July 7th meeting and held the public hearing at their July 22nd meeting. It passed unanimously.
- Old Town Parking – Planning Commission closed the public hearing for Old Town parking at their June 10th meeting and voted to recommend the proposed Old Town Parking requirements to City Council.
- Orderly Growth – No new activity this month
- Dark Sky – No new activity this month.

Training & Staffing not mentioned in other areas of the report

- Attended monthly Safety Committee, weekly staff and administrative meetings.
- BT Rines & PT Southerland completed "FEMA Active Shooter: What Can You Do".
- PT Southerland completed two courses required for seat on the Safety Committee.

COMMITTEE STAFFING

Environmental Management Advisory Committee (EMAC)

EMAC met July 17th. EMAC members and staff worked on the following projects in July:

- Lane County Solid Waste Fee Increases – Lane County Board of Commissioners reviewed and approved a county PW staff proposal on July 22nd. The changes take place September 1st. Staff updated Schedule 3--Florence Solid Waste Disposal Fees and distributed to the haulers on August 1st for customer notification.
- Black & White Event – Scheduled for August 16th. EMAC members scheduled their volunteer hours and worked with community partners. The city received permits from both the high school and the county for location reservation and the disposal waiver, respectively.
- Green Fair Planning –EMAC met with Laura Smith of the Elementary Science Lab to brainstorm ideas for improving the Green Fair particularly in the areas of children's events and starting a speakers' forum, a community recycled art contest and a marine debris interactive art exhibit.
- 2050 Vision for Materials Management in Oregon – PD Farley participated in the DEQ Oregon Opportunity to Recycle Regulation Change Webinar.

Transit Advisory Committee (TAC)

TAC met on July 23rd. TAC members and staff worked on the following projects in July:

- Rhody Express Pilot Project - The pilot project will continue until November 2014. The team compiles and reviews monthly statistics and conducts specific marketing and assessment efforts.
- Buddy Program - The Buddy Program serves to offer assistance to potential bus riders by providing a 'buddy' who will help potential riders by providing training on timetables, bus routes, and boarding and debarking. Staff prepared an article for the City newsletter detailing the Bus Buddy Program and asking those with more questions to call.
- Ride Free Business Sponsorship Program – The sign elicited two inquiries about advertising on the back of the bus. TAC decided to look into other materials for the sign as the paper may not hold up well.
- Budget – TAC was informed that they have the ability to advise on budgetary matters regarding the Rhody Express. Mary Stephens volunteered to represent TAC in any budgetary discussions. LTD representative stated that no response had yet been received from CTCLUSI regarding continuing operations to the Casino.
- Route changes – TAC began thinking about route efficiencies that would allow the operator to convert back to a 60-minute route after the conclusion of the Pilot Project.
- Pilot Project Report – TAC began to think about dividing up the Pilot Project Report to provide City Council with a conclusion and recommendation regarding the Pilot Project and any changes to the Rhody Express.

Planning Commission / Design Review Board

Planning Commission met July 22nd to review the following items:

- Conditional Use application by Dalia Castillo to convert a former church, located at 1650 Redwood Street, in the Multi-Family Residential District to a single-family home.

- Zoning Text amendment to amend Chapter 17 – Old Town District of the City of Florence Zoning Code (Title 10) in order to amend required parking regulations in the Old Town Area A zoning district.

The conditional use permit was approved and the zoning text amendment was recommended for approval and forwarded to City Council for hearing. See Attachment 1 for additional land use updates.

Attachments:

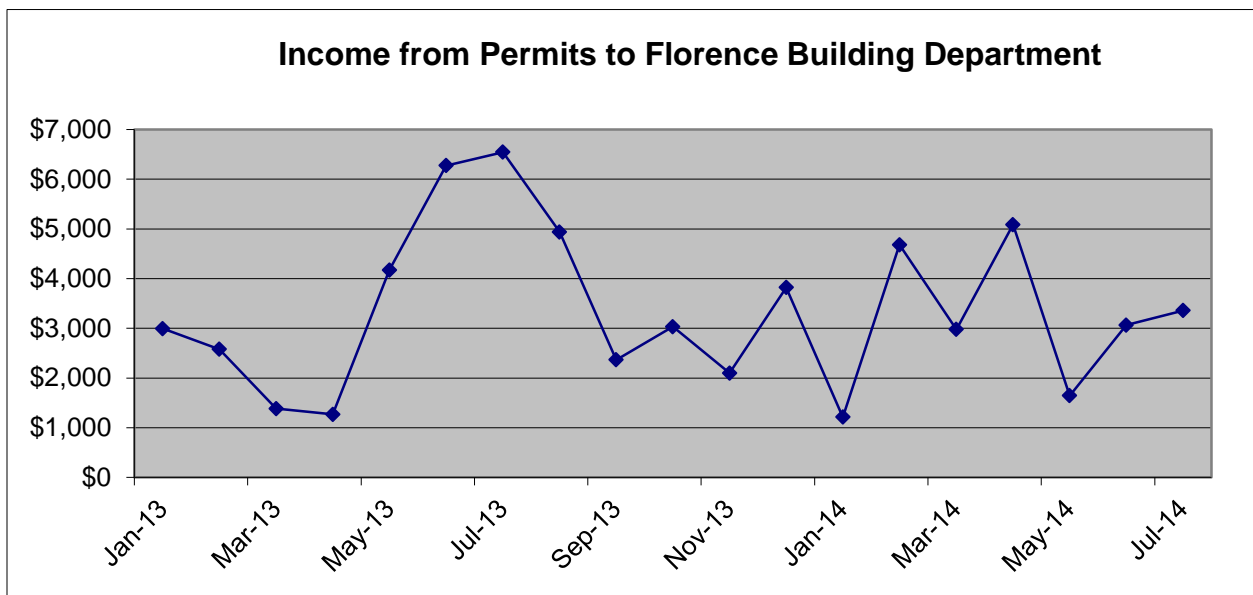
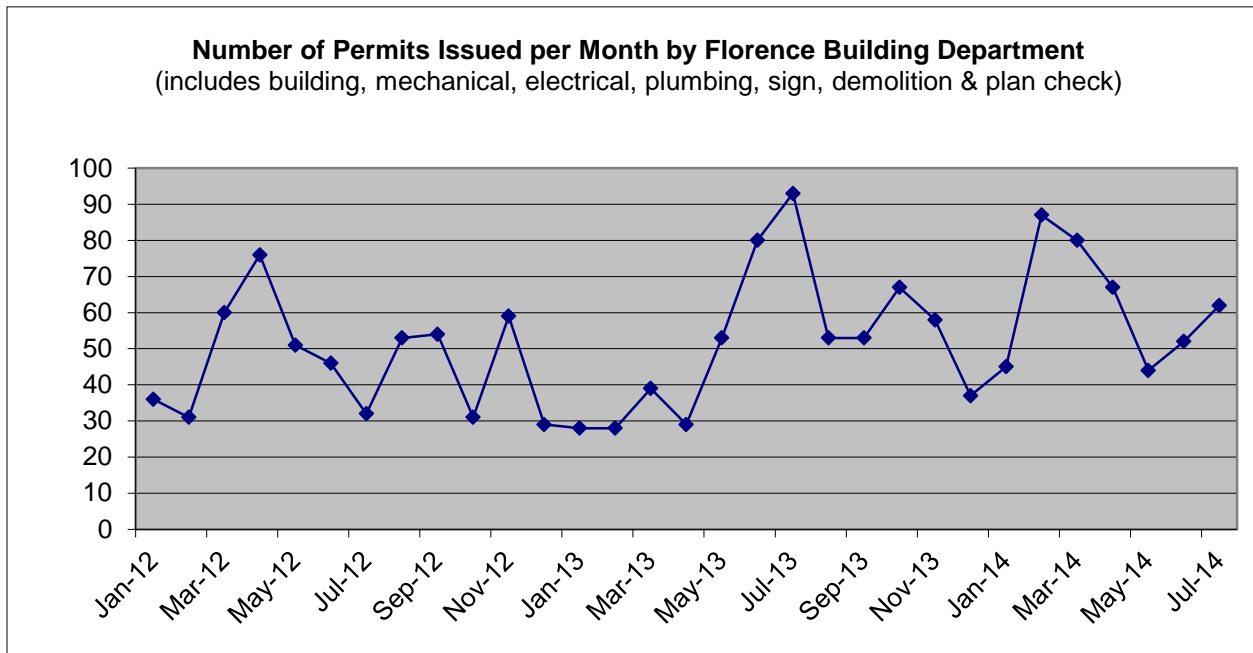
- 1 – Current Land Use Applications (current and recently approved applications)
- 2 – Building Permit Activity (number of permits issued, income from permits, and monthly report)

**Current and Recently Approved Land Use Applications
July 2014**

ATTACHMENT 1

APPLICATION NAME	APPLICATION #	LOCATION	STATUS
Legislative Applications (City Council Decision)			
Old Town Parking Amendments	CC 14 06 TA 01 PC 14 05 TA 01	Old Town District	PC approved on July 22 nd , recommendation forwarded to City Council. Hearing scheduled for Sept. 15
Port of Siuslaw Bay Street Vacation	CC 14 01 VAC 01	SE of Bay St. ROW & Rhododendron Dr.	Application denied at City Council hearing of July 7 th .
26 th /27 th Street Alley Vacation	CC 14 05 VAC 02	Alley btwn 26 th & 27 th , east of Oak St	Initiated by City Council at July 21 st meeting. Scheduled for public PC hearing on August 26 th .
Seifert/McGill Zone Change	CC 14 03 CPA 01 & CC 14 04 ZC 01 Ord. No. 3, 2014	NE corner Spruce St. & Munsel Lk. Rd.	Zone Change and Comp Plan Amendment approved at City Council meeting of July 7 th . Appeal period ended July 29 th .
Calosso Sheet Metal Fence Appeal	CC 14 02 APP 01	1231 18 th Place	Appeal denied by City Council at meeting of July 7 th . Appeal period passed and AA received from applicant.
Quasi-Judicial Applications (Planning Commission Decision)			
1650 Redwood Church to Residence	PC 14 09 CUP 05	1650 Redwood	CUP approved by Planning Commission July 22 nd , Agreement of Acceptance received from applicant.
26 th /27 th Street Alley Vacation	PC 14 10 VAC 01	Alley btwn 26 th & 27 th , east Oak St.	Initiated by City Council at July 21 st meeting. Scheduled for public PC hearing on August 26 th .
Leturno Fence Variance	PC 14 11 VAR 01	910 Spruce Street	Fence height variance request received July 31 st . Scheduled for hearing on August 26 th .
Johnson/Sapp Annexation/Zone Change	PC 14 13 ANN 01 & PC 14 14 ZC 02	05467 11 th Street	Annexation/Zone Change application received July 30 th . Scheduled for hearing on October 14 th .
Administrative Applications (Staff Decision)			
1670 15 th Street Mixed-Use Expansion	AR 14 09 MOD 01	1670 15 th Street	Application received May 13 th , deemed incomplete June 9 th . Materials received July 7 th . Waiting for additional info.

Attachment 2 – Building Permit Activity



“Income from Permits...” graph above represents the City’s monthly income (25%) from permit revenue since January 2013. Prior to that date, city staff conducted most of the inspections, vice contracting, and thus retained a larger amount of the permit revenue. Graphs from staff reports prior to April 2014 included months prior to December 2012 which have been removed from this graph to eliminate the distortion created by the change in service provision.

MONTHLY REPORT FOR JULY 2014

PERMIT TYPE	# of PERMITS	# of HOUSING UNITS	CONSTRUCTION BID VALUATION	
SINGLE-FAMILY DETACHED		1	\$176,475.15	
SINGLE-FAMILY ATTACHED (TOWNHOMES)		0	\$0.00	
MANUFACTURED DWELLING		0	\$0.00	
ADDITIONS	0		\$0.00	
ALTERATIONS / REMODELS	1		\$2,500.00	
ACCESSORY STRUCTURES	3		\$50,799.60	
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	0		\$0.00	
COMMERCIAL ADDITIONS	0		\$0.00	
COMMERCIAL ALTERATIONS / REMODELS	8		\$349,169.03	
AIRPORT HANGARS	0		\$0.00	
CONSTRUCTION BID VALUATION TOTAL			\$578,943.78	
TYPE OF PERMIT ISSUED	PERMIT FEES SHOWING SPLIT WITH THE BUILD. DEPT. LLC			
SIGN PERMITS	0	\$0.00	BUILDING DEPARTMENT LLC 75%	CITY'S 25%
RESIDENTIAL BUILDING PERMIT FEES	5	\$1,660.90	\$1,245.68	\$415.23
COMMERCIAL BUILDING PERMIT FEES	8	\$3,541.14	\$2,655.86	\$885.29
MANUFACTURED HOME PLACEMENT FEES	0	\$0.00	\$0.00	\$0.00
BUILDING PLAN CHECK FEES	10	\$3,221.81	\$2,416.36	\$805.45
RESIDENTIAL PLUMBING PERMIT FEES	2	\$624.40	\$468.30	\$156.10
COMMERCIAL PLUMBING PERMIT FEES	0	\$0.00	\$0.00	\$0.00
COMMERCIAL PLUMBING PLAN REVIEW FEE	0	\$0.00	\$0.00	\$0.00
MECHANICAL PERMIT FEES	10	\$1,297.60	\$973.20	\$324.40
MECHANICAL PLAN CHECK FEES	2	\$137.61	\$103.21	\$34.40
ALL DEMOLITIONS	0	\$0.00	\$0.00	\$0.00
CITY ELECTRICAL PERMIT FEES	25	\$2,943.00	\$2,207.25	\$735.75
TOTAL # OF PERMITS	62			
TOTAL ALL FEES		\$13,426.46	\$10,069.85	\$3,356.62
NO. OF BUILDING, PLUMBING & MECHANICAL INSPECTIONS		107		
NO. OF CITY ELECTRICAL INSPECTIONS		66		
TOTAL FOR ALL INSPECTIONS		173		