



City of Florence
A City in Motion

City of Florence Council Regular Session

In Person & Videoconference
250 Hwy 101
Florence, OR 97439
541-997-3437
www.ci.florence.or.us

- Meeting materials including information on each agenda item are published at least 24 hours prior to the meeting, and can be found of the City of Florence website at www.ci.florence.or.us/council.
- Items distributed during the meeting, meeting minutes, and a link to the meeting video are posted to the City's website at www.ci.florence.or.us/council after the meeting.
- To be notified of City Council meetings via email, please visit the City's website at <http://www.ci.florence.or.us/newsletter/subscriptions>.

February 5, 2024

AGENDA

5:30 p.m.

Councillors:

Rob Ward, Mayor

Sally Wantz, Council President
Jo Beaudreau, Councilor

Bill Meyer, Council Vice-President
Robert Carp, Councilor

With 48-hour prior notice, an interpreter and/or TTY: 541-997-3437, can be provided for the hearing impaired.
Meeting is wheelchair accessible.

Proceedings will be shown live and for rebroadcast on Cable Channel 191 and online at www.ci.florence.or.us/citymanager/public-meetings-live and will be available after the meeting on the City's Vimeo Site.

The Florence City Council meeting will be held in person at Florence City Hall.

In addition, members of the public can listen and view the meeting through the 'GoToWebinar' platform at the following link: <https://attendee.gotowebinar.com/register/8891139642285851742>

Meetings are also shown live on Cable Channel 191 and online at <https://www.ci.florence.or.us/citymanager/public-meetings-live>.

Citizens wishing to express their views may submit comments in writing or verbally. For more information, please see the end of this agenda or visit the [City of Florence website](http://www.ci.florence.or.us).

CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

1. PUBLIC COMMENTS

This is an opportunity for members of the public to bring to the Council's attention any item not otherwise listed on the agenda. *Please see the end of this agenda for methods to provide comments on items that are not on the agenda.*

PRESENTATIONS & ANNOUNCEMENTS

Presentation of the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting (COA) and Distinguished Budget Presentation (Budget Award) Awards

PUBLIC HEARING ITEMS

Please see the end of this agenda for methods to provide comments on public hearing items.

2. HOUSING CODE UPDATE

A. PUBLIC HEARING FOR ORDINANCE NO. 1, SERIES 2024

- Staff presentation
- Public testimony: Hear and consider written and oral testimony regarding the proposed Housing Code Update
- Council question and discussion
- Consideration of closing the public hearing and the possibility of keeping the written record open for a certain amount of time

Wendy
Farley-
Campbell
Comm.. Dev.
Director

B. HOUSING CODE ADOPTION AND IMPLEMENTATION

Consider approval or setting a date certain for adoption of **Ordinance No. 1, Series 2024**, an ordinance adopting legislative amendments to the Florence City Code Title 10, to support missions, emergency shelters, and transitional housing, associated with phase 2 of the Housing Implementation Plan project and reduce lot dimensions for medium density single unit detached dwellings.

ACTION ITEMS

Please see the end of this agenda for methods to provide comments on action items.

3. PARTICIPATION IN LANE COUNTY APPLICATION TO THE EPA’S COMMUNITY CHANGE GRANT PROGRAM

Consider adoption of **Resolution No. 2, Series 2024**, a resolution establishing approval to participate in the Lane County grant application for the EPA’s Community Change Grant Program to include the Senior Center expansion project, and delegating authority to the City Manager or designee to submit the project to Lane County for inclusion in the countywide grant application.

Megan Mesmer
Assistant
City Manager

4. BRIDGEWATER RESTAURANT CHANGE OF LOCATION LIQUOR LICENSE

Consider recommendation of approval to the Oregon Liquor & Cannabis Commission (OLCC) for a change of location liquor license for the Bridgewater Restaurant. The business is moving from 1297 Bay Street to 1341 Bay Street.

Lezlea Purcell
Finance
Manager

CONSENT AGENDA

5. APPROVAL OF MEETING MINUTES

Consider approval of the January 4, 2024 City Council Work Session, January 8, 2024 City Council Regular Session, January 11, 2024 City Council Work Session, and January 22, 2024 City Council Regular Session meeting minutes.

Lindsey White
City Recorder

REPORT & DISCUSSION ITEMS

6. SIUSLAW RIVER SLOPE STABILIZATION PROJECT UPDATE

Public Works Director Mike Miller will provide the City Council an update on the Siuslaw River Slope Stabilization Project

Mike Miller
Public Works
Director

7. DEPARTMENT DIRECTOR UPDATES

Management
Team

8. CITY MANAGER REPORT & DISCUSSION ITEM

Erin Reynolds
City Manager

9. CITY COUNCIL REPORTS & DISCUSSION ITEMS

City Council

COUNCIL CALENDAR		
<i>All meetings are held in person with a virtual option unless otherwise indicated</i>		
Date	Time	Description
February 8, 2024	8:45 a.m.	City Council Work Session Canceled
February 19, 2024	---	President’s Day Holiday <i>City Offices Closed</i>
February 22, 2024	8:45 a.m.	City Council Work Session
February 26, 2024	5:00 p.m. to 7:00 p.m. Mayor’s Speech at 6:00 p.m.	State of the City
March 18, 2024	5:30 p.m.	City Council Meeting
March 21, 2024	8:45 a.m.	City Council Work Session

PUBLIC MEETINGS PROCEDURES

The February 5, 2024 City Council meeting will be held in person, with the option to view / listen to the meeting virtually through the GotoWebinar platform.

Expressing Views to the City Council: Citizens wishing to express their views to the City Council may do so in both written and verbal formats.

1. Written Testimony: Citizens wishing to express their views to the City Council are encouraged to submit written testimony in one of the following ways:
 - a. Submit written comments via email to City Recorder at cityrecorder@ci.florence.or.us;
 - b. Mail written comments to Florence City Hall, Attn: City Council, 250 Hwy 101, Florence, OR 97439
 - c. Drop off written comments at Florence City Hall (250 Hwy 101) during regular office hours (Monday through Friday 8 a.m. – Noon and 1:00 p.m. – 4 p.m.) or at the City of Florence drop box located at Florence City Hall to the right of the main entrance.
- ** Note: Written comments received at least 2 hours prior to the meeting (February 5, 2024 at 3:30 p.m.) will be distributed to the City Council, posted to the City of Florence website, and made part of the record.
2. Verbal Testimony: Citizens wishing to express their views to the City Council may participate in the meeting at Florence City Hall or via GoToWebinar. To do so, please complete a speaker's card online at www.ci.florence.or.us/council/request-address-city-council-speakers-card at least 1 hour prior to the meeting (February 5, 2024 at 4:30 p.m.). City staff will then contact the speaker to let them know the process to participate in the meeting.
 - a. Public Comments on items not on the agenda: General public comments (on items not on the City Council agenda) will be allowed at each City Council meeting during the public comment agenda item. Comments will be limited to three (3) minutes per person, with a maximum of 15 minutes for all items. In practicality, this means no more than five individuals will be allowed to comment verbally. There is no limit on written public comments.
 - b. Public Hearing Testimony: Testimony on public hearing items will be allowed when a public hearing is held. Verbal comments will be allowed on public hearing items after staff has given their report and have allowed time for initial Council questions. In general (with some exceptions for Land Use hearings), comments are limited to five minutes per person with no limit on the number of speakers.
 - c. Public Comments on Action Items: Public Comments will be allowed on each action item on the City Council agenda. Verbal comments will be allowed on action items after staff has given their report and have allowed time for initial Council questions. Comments will be limited to three (3) minutes per person, with a maximum of 15 minutes for all comments on each action item. In practicality, this means no more than five (5) individuals will be allowed to comment verbally. There is no limit on written public comments.

For more information on the City of Florence's Public Meeting Policies, visit the City of Florence website at <https://www.ci.florence.or.us/council/rules-procedure>

PRESENTATIONS AND ANNOUNCEMENTS**FLORENCE CITY COUNCIL**

Meeting Date: February 5, 2024

Department: Admin Svs Dept.

ITEM TITLE: Presentation of the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting (COA) and Distinguished Budget Presentation (Budget Award) Awards

DISCUSSION:

The GFOA established its COA program in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare annual comprehensive financial reports (ACFR's) that evidence the spirit of transparency and full disclosure and then to recognize individual governments that succeed in achieving that goal. The goal of the program is not to assess the financial health of participating governments, but rather to ensure that users of their financial statements have the information they need to do so themselves

This is the second year the City has applied for this award and the first time receiving the award. This program requires many hours of statement preparation above and beyond what is required of basic financial statements. The City of Florence is among 100 other jurisdictions within the State of Oregon who received this award for the 2023 reporting year.

GFOA's Distinguished Budget Presentation Award was established in 1984 to encourage and assist state and local governments to prepare budget documents of the highest quality that reflect both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA's best practices on budgeting and then to recognize individual governments that succeed in achieving that goal. Approximately 1,800 governments, including states, cities, counties, special districts, school districts, and more have been recognized for transparency in budgeting.

Participation in both awards means your documents are reviewed by three participating reviewers and must get proficient marks from two of them. Both awards have certain criteria, that if not met, disqualifies the documents from recognition. The City of Florence has received the Budget Award for eight (9) consecutive budget cycles, which includes its 2023-25 Biennial Budget.

For the 2022 budget year, 111 jurisdictions in the State of Oregon received this award.

FISCAL IMPACT:Staff time preparing the documents

RELEVANCE TO ADOPTED CITY WORK PLAN:

Financial & Organizational Sustainability
Communication & Trust

AIS PREPARED BY: Anne Baker, Administrative Services Department Director

ITEM'S ATTACHED: You can view the City's 2023-25 Budget Document and 2022 ACFR at <https://www.ci.florence.or.us/administrative-services>

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 1
Meeting Date: February 5, 2024
Department: Mayor & Council

ITEM TITLE: Public Comments – *Items Not on the Agenda*

DISCUSSION/ISSUE:

This is an opportunity for members of the audience to bring to the Council's attention any item not otherwise listed on the Agenda. *Please see end of the agenda for methods to provide comments on items not on the City Council agenda.*

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 2
Meeting Date: February 5, 2024
Department: Comm. Dev.

ITEM TITLE: Ordinance No. 1, Series 2024, Making Amendments to Florence City Code Title 10 Related to Missions, Emergency Shelters, Transitional Housing, and Single Unit Dwelling Lot Dimensions

DISCUSSION/ISSUE:

Proposal: The proposal includes amending Florence City Code (FCC) Title 10 to permit Transitional Housing, Emergency Shelters, and Missions and updating the Medium Density District to reduce lot frontage and lot size requirements.

Background: On October 6, 2021 the Department of Land Conservation and Development (DLCD) awarded the City of Florence a technical assistance grant to identify housing development strategies, and update City codes to address state statutes and rules.

In March 2022 City Council created a [Housing Implementation Plan](#) (HIP) Stakeholder Advisory Team (SAT) made up of community stakeholders. The team met four times since April 2022. Additionally, two Open Houses were held at the Florence Events Center in September and November, whereby the public was solicited for their input via a virtual survey and in-person input session, results of that survey are contained in Attachment 2a. Additionally, the HIP SAT created two subcommittees to address Short-Term Rentals and Transitional Housing. The matter before the City Council related to the Transitional Housing is a result of two HIP SAT committee meetings and a joint work session with the City Council and Planning Commission on December 4, 2023.

There are other housing-related code changes and additions that are in various stages of completion and they will be brought to the City Council when they are ready for consideration. These are related to short term rentals and hazards and coastal goals (FCC Title 10, Chapters 7 and 19). There is also research and staff work being done to consider adopting code related to camping and event-based emergency shelters. The work is ongoing for short-term rentals, FCC Title 10-7 & 19, and the camping code and is not a part of the considerations for this meeting on February 5, 2024.

Process: Land use code updates consist of a three-step review and approval process: Initiation, First Evidentiary Hearing, and a Second Public Hearing. The Planning Commission initiated the Transitional Housing legislative changes on December 12, 2023 via Resolution PC 23 29 TA 05. Notice was then filed on December 14, 2023 with the Department of Land Conservation and Development 35 days prior to the first scheduled evidentiary public hearing on January 23, 2024. Planning Commission on that date made a recommendation to the City Council via Resolution PC 23 32 TA 06 (Attachment 2C). Now the Florence City Council will make the final decision at the Second Public Hearing (occurring at the February 5, 2024 meeting) to consider the proposed amendments via Ordinance No. 1, Series 2024. The ordinance will become effective 30 days after the City Council completes two readings and approval of the ordinance.

FISCAL IMPACT:

Amendment costs include staff time: preparing public notices, reviewing findings of fact, and meeting minutes; attending public hearings and answering inquiries from the public and direct costs: publishing public notices in the newspaper, and preparing findings of fact and meeting packets.

RELEVANCE TO ADOPTED [2023-2025 CITY WORK PLAN](#):

“Housing Efforts & Initiatives: Development Regulations: Objective: Residential Code Updates, Phase 2 – transitional,...., special needs housing, emergency housing” (pg. 11)

“Housing Efforts & Initiatives: Housing Development: Objective: Explore Options for accommodating transitional housing and make necessary code updates.” (pg. 11)

“Community Development: Land Use and Planning: Objectives Land Use Updates needed as a result of state legislative requirements; Perform general housekeeping updates to Titles 10 & 11; Miscellaneous City Code review and updates.” (pg. 20)

ALTERNATIVES:

1. Adopt Ordinance No. 1, Series 2024, as presented; or
2. Adopt Ordinance No. 1, Series 2024, as amended by Council; or
3. Recommend denial of the amendments through resolution with reasons for the recommendation; or
4. Continue the public hearing to a date certain or close the public hearing and leave the written record open for 7 days; or
5. Do not adopt Ordinance No. 1, Series 2024 and provide direction to staff.

RECOMMENDATION:

Staff recommends adopting Ordinance No. 1, Series 2024, as presented making amendments to Florence City Code Title 10 related to missions, emergency shelters, transitional housing, and single unit dwelling lot dimensions as recommended by the Planning Commission.

AI5 PREPARED BY: Wendy FarleyCampbell, Community Development Director

CITY MANAGER’S RECOMMENDATION: Approve Disapprove Other

Comments:

ERReynolds

ITEM'S ATTACHED:

Attachment 1 Approving Documents:

- Ordinance No. 1, Series 2024:
 - Exhibit A – Findings of Fact
 - Exhibit B – Proposed modifications Title 10 Chapter 11
 - Exhibit C – Proposed modifications Title 10, Multiple Chapters

Attachment 2 Supporting Documents:

- 2a: MIG Transitional Housing Code Research, July 13, 2022
- 2b: Transitional Housing Community Survey Results, 2022
- 2c: Planning Commission Resolution PC 23 32 TA 06

Attachment 3 Testimony Received by Planning Commission:

- From Brenda Gilmer at the Public Hearing on January 23, 2024

REFERENCE ITEMS:

- **Housing Implementation Plan (HIP) Project:**
<https://www.ci.florence.or.us/planning/housing-implementation-plan-project>
 - **City Council and Planning Commission Work Session on Transitional Housing meeting held on December 4, 2023:**
<https://www.ci.florence.or.us/council/city-council-planning-commission-work-session-housing-code-updates>
 - **Planning Commission Initiation Meeting held on December 12, 2023:**
<https://www.ci.florence.or.us/bc-pc/planning-commission-meeting-public-hearings-2>
 - **Planning Commission Evidentiary Public Hearing on the Transitional Housing Code was held on January 23, 2024:**
<https://www.ci.florence.or.us/bc-pc/planning-commission-meeting-public-hearings-4>
-

**CITY OF FLORENCE
ORDINANCE NO. 1, SERIES 2024**

AN ORDINANCE ADOPTING LEGISLATIVE AMENDMENTS TO FLORENCE CITY CODE TITLE 10, TO SUPPORT MISSIONS, EMERGENCY SHELTERS, AND TRANSITIONAL HOUSING, ASSOCIATED WITH PHASE 2 OF THE HOUSING IMPLEMENTATION PLAN PROJECT AND REDUCE LOT DIMENSIONS FOR MEDIUM DENSITY SINGLE UNIT DETACHED DWELLINGS.

RECITALS:

1. City Council via their 2021/2023 City of Florence Work Plan, tasked amendments to the governing documents related to housing and general housekeeping.
2. On December 12, 2023 the Florence Planning Commission initiated legislative amendments to Florence City Code Titles 10.
3. On December 14, 2023 notice was sent to the Department of Land Conservation and Development, not less than 35 days prior to the first evidentiary hearing.
4. On January 10, 2024, notice of hearing was published in the Siuslaw News prior to the Planning Commission hearing on January 23rd and on January 17, 2024, notice of hearing was published in the Siuslaw News prior to the City Council hearing of February 5, 2024.
5. Planning Commission opened and closed their public hearing January 23, 2024 and deliberated to a decision for a recommendation to the City Council.
6. City Council conducted a public hearing on February 5, 2024 and found the amendments consistent with applicable criteria in Florence City Code, Realization 2020 Florence Comprehensive Plan, Oregon Administrative Rules and Oregon Revised Statutes.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

1. Title 10 as explained in Exhibit A, and shown in Exhibits B and C, and initiated through Planning Commission.
2. This ordinance shall become effective thirty days following adoption. (March 6, 2024).
3. The City Recorder is authorized to administratively correct any reference errors contained herein or in other provisions of the Florence City Code to the provisions added, amended, or repealed herein.

ADOPTION:

First Reading on the 5th day of February, 2024

Second Reading on the 5th day of February, 2024

This Ordinance is passed and adopted on the 5th day of February 2024

AYES

NAYS

ABSTAIN

ABSENT

Rob Ward, Mayor

Attest:

Lindsey White, City Recorder

Exhibit A

EXHIBIT A FINDINGS OF FACT City of Florence Ordinance No. 1, Series 2024

Public Hearing Dates: Planning Commission – January 23, 2024
City Council – February 5, 2024

File Nos.: PC 23 32 TA 06 / CC 23 10 TA 03

I. PROPOSAL DESCRIPTION

The requested action is to adopt amendments to the Florence City Code in order to support development of missions, emergency shelters, and transitional housing, and reduce the lot dimension standards for medium density single unit residential detached dwelling lots as follows:

1. Florence City Code Title 10, Chapter 11 (**Exhibit B**)
2. Florence City Code Title 10, Multiple Chapters (**Exhibit C**)

Exhibit B: Title 10 Chapter 11 Amendments

This chapter is entirely new and all text is proposed as described below:

- Add scope and purpose sections Missions, Emergency Shelters and Transitional Housing.
- Add siting standards for the uses.
- Add allowed structure types
- Add lot and yard dimension and site development standards
- Add operation and management standards

Exhibit C: Title 10 Multiple Chapter Amendments

Proposed Amendments to the Florence City Code text are shown in legislative format in the attached Exhibit C and are described below:

- Chapter 2: Add definitions for missions and emergency shelters, and amend the definition for transitional housing
- Chapter 10: Amend Table 10-10-2-A related to Transitional Housing
- Chapters 14, 15, 16, 27, and 30: Permit Missions, Emergency Shelters, and Transitional Housing conditionally
- Chapters 20, 28, and 31: Permit Missions and Emergency Shelters conditionally
- Chapter 25: Permit Transitional Housing conditionally
- Chapter 10: Reduce the lot width and size for single-unit-detached dwellings in the Medium Density District

II. NARRATIVE

The City's 2017 Housing Needs Analysis (HNA) identified a need for more housing to serve all income levels, with greater variety of options beyond traditional single-family detached homes, including townhouses and apartments. Many changes to address these needs were made in 2019. During this time, it was concluded that it was multi-phase ongoing process. The state's continued adoption of new legislation related to housing prolongs and complicates these changes. Most of the clear and objective criteria issues with code have been remedied. Chapters 7 and 19 remain to be revised.

This phase addresses transitional and emergency housing, a portion of the initial HIP process that was delayed due to the inability to come to a suitable solution. The topic was included with the recent 2022-2023 HIP Phase 2 process. House Bill 2916 (2019) implemented under ORS 446.265 allows jurisdictions to permit transitional housing which they define as "accommodations (that) are intended to be used by individuals or families on a limited basis for seasonal, emergency or transitional housing purposes and may include yurts, huts, cabins, fabric structures, tents and similar accommodations." The accommodations are limited to persons who lack permanent or safe shelter or cannot be placed in other low-income housing. The City has the authority to limit the maximum amount of time that an individual or family may use the accommodations; although no such provision is specified in the proposed code.

The State statutes permit some transitional housing regulations. Accommodations may be required to provide parking, pedestrian walkways, and access to water, hygiene facilities such as showers, toilets, and laundry, and other provisions such as telephone service and cooking facilities. These may be provided on-site or be separate or shared facilities. House Bill 2916 can be implemented inside or outside of Title 10 of Florence City Code.

This proposal includes code criteria related to three types of special needs housing: missions, emergency shelter and transitional housing. The emergency shelter and mission criteria are intended for a similar population as the transitional housing. They are not intended for natural disasters or similar. That sheltering is to be covered under FCC Title 1 once the "camping" regulations are finalized.

III. NOTICE AND REFERRALS

1. Notice:

The notice of a public hearing was published in the Siuslaw News on January 10, 2024 and again in the Siuslaw News on January 17, 2024, as required by state law and the Florence City Code.

Notice of the proposed City Code Amendments was sent to the Department of Land, Conservation and Development (DLCD) on December 14, 2023, not less than 35 days prior to the proposed first evidentiary hearing of January 23, 2024, as required by State law and the Florence City Code. An update was sent on January 19 to include the proposal related to the Medium Density Lot dimension change.

IV. APPLICABLE CRITERIA

- 1. Florence City Code (FCC) Title 10: Zoning Regulations**
 - Chapter 1: Zoning Administration, Section 10-1-1-6-4 Type IV Procedure (Legislative)
 - Chapter 1: Zoning Administration, Section 10-1-3 Amendments and Changes, Section C Legislative Changes

- 2. Florence Realization 2020 Comprehensive Plan**
 - Plan Adoption, Amendments, Review and Implementation
 - Chapter 1 Citizen Involvement, Policies 2-6
 - Chapter 2 Land Use, Policies 3 & 7
 - Chapter 10 Housing Opportunities, Policies 7 & 10
 - Chapter 12 Transportation, Policy 26

- 3. Oregon Land Use Planning Goals**
 - Goal 10 Housing

- 4. Oregon Revised Statutes (ORS)**
 - ORS 197.303
 - ORS 197.307
 - ORS 197.610(1) – (4)

- 5. Oregon Administrative Rules (OAR)**
 - OAR 660-012-0060
 - OAR 660-018-0020
 - OAR 660-015-000

- 6. State legislation adopted**

House Bills: 2916 (2019)
Senate Bill: 8 (2021)

V. FINDINGS

Florence City Code (FCC)

Title 10 Zoning Regulations, Chapter 1 Zoning Administration

FCC 10-1-1-6-4 Type IV Procedure (Legislative)

A. A legislative change in zoning district boundaries, in the text of this Title, (Title 10), Title 11, or in the Comprehensive Plan may be initiated by resolution of the Planning Commission or by a request of the Council to the Planning Commission that proposes changes be considered by the Commission and its recommendation returned to the Council, or by an application for an amendment by a citizen.

D. Notice of Hearing: 1. Required hearings. A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications (e.g., re-zonings and comprehensive plan amendments).

2. Notification requirements. Notice of public hearings for the request shall be given by the Planning Department in the following manner:

b. At least 10 days before the scheduled Planning Commission hearing date, and 14 days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City.

c. The City Planning Official or designee shall: 1. For each mailing of notice, file an affidavit of mailing in the record as provided by subsection. 2. For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection b. d. The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and zoning code amendments at least 35 days before the first evidentiary hearing.

3. Content of notices. The mailed and published notices shall include the following information:....

The City of Florence initiated the changes via the Planning Commission on December 12, 2023. There were two hearings scheduled, one before the Planning Commission on January 23, 2024 and one before the City Council on February 5, 2024. The media notices included the required information and were performed as required in these criteria and as discussed elsewhere in the findings.

FCC 10-1-3 Amendments and Changes,

A. Purpose: As the Comprehensive Plan for the City is periodically reviewed and revised, there will be a need for changes of the zoning district boundaries and the various regulations of this Title. Such changes

or amendments shall be made in accordance with the procedures in this Section.

Section C Legislative Changes

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

Finding: This legislative change was initiated by a resolution of the Florence Planning Commission, Resolution PC 23 29 TA 05, adopted by the Planning Commission on December 12, 2023.

- 2. Notice and Public Hearing: Such notice and hearing as prescribed by state law and the Comprehensive Plan then in effect.**

Finding: Notification of the Planning Commission and City Council public hearings for this proposal were published in the Siuslaw News on January 10th and 17th, 2024. The notification procedures meet the requirements of Florence City Code, the policies of the Florence Realization 2020 Comprehensive Plan, and state law. DLCD notice was posted on December 14th and then again on January 19th in accordance with state law.

Realization 2020, Florence Comprehensive Plan

Plan Adoption, Amendments, Review and Implementation

Adoption of the Plan represents a commitment by the City to attempt the achievement of what the Plan proposes and is considered by other governmental units, the courts and the public to be a statement of policy. City ordinances covering development and land use must be consistent with the intent of the Plan. Federal, State, County and Special District land use actions must also be consistent with the Plan. (pp. 2-3)

Finding: The proposed amendments to the City zoning and development code support residential development consistent with the Plan and the adopted Housing Needs Analysis (2018). The proposed code amendments are internally consistent. The applicable Plan policies for the proposed amendments are addressed in the policies that follow. These findings are incorporated herein.

Chapter 1: Citizen Involvement

Citizen Involvement Goal: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Policies

- 2. A Citizen Advisory Committee, appointed by the City Council, shall serve in an advisory capacity to the Florence Planning Commission to assure the broadest input during periodic review and post acknowledgment Plan and zoning amendments. (pg. I-1)**

Finding: This policy is met. The City Council in 2022 appointed the Housing Implementation Plan Stakeholder Advisory Team HIP SAT to advise on these code updates. The HIP SAT met six times during the development of the proposed amendments.

- 3. The City Council shall ensure that a cross-section of Florence citizens is involved in the planning process, primarily through their appointments to the Planning Commission, Design Review Board, Citizen Advisory Committee and other special committees. (pg. I-1)**

Finding: This policy is met. The City Council appointed a cross-section of Florence citizens to serve on the HIP SAT, including representatives of the social services, Title VI, tribal, banking, development, education, utility and emergency services providers, healthcare, young adult, and retired adults. It was the stated expectation that the committee members and resulting sub-committee members would consult with Florence citizens for whom they represented to get their input on the public input results, research performed by the consultant and staff, proposed uses and code language additions and changes. The HIP SAT served as the represented cross section of Florence citizens either through direct appointment or through representational appointment.

- 4. Official City meetings shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment. (pg. I-1)**

Finding: This policy is met. The proposed code amendments are consistent with this policy because the public hearing was noticed in the newspaper prior to public hearings before the Planning Commission and City Council, as required by state law. Notice was published in the Siuslaw News on January 10th and 17th, 2024. The website calendar states when City meetings are scheduled. Materials for Planning Commission and City Council meetings are posted on the website prior to the meeting. The agendas are also posted in City Hall. The HIP SAT and Open House meeting dates and materials were also published on the City website in advance of the meeting dates and emailed to those who signed up for notifications. All agendas provided the opportunity for public comment.

In accordance with city policy, sub-committees of a formed from appointed committees for the purpose of researching topics do not constitute as official city meetings and are not required to be publicized or provide the opportunity for public comment.

- 5. Records of all meetings where official action is taken shall be kept at City Hall and made available on request to the public. (pg. I-1)**

Finding: The proposal for these actions is consistent with this policy because minutes of all meetings are kept at City Hall, posted on the City's website, and made available on request to the public.

6. Planning documents and background data shall be available to interested citizens. (pg. I-1)

Finding: The proposal for these actions is consistent with this policy because the Resolution, Ordinance, Findings of Fact, staff report and proposed amendments were available prior to the public hearing. The documents were available to view at the Community Development Department or online on the City's website.

Chapter 2: Land Use

Policies

3. The quality of residential, commercial and industrial areas within the City shall be assured through the enforcement of City zoning, design review, applicable conditions of development approval, parking and sign ordinances, and the enforcement of building, fire, plumbing and electrical codes. (pg. II-1)

Finding: The proposal for these actions is consistent with this policy because the proposed code standards:

- Include zoning standards addressing quality of residential development, including application of standards for special housing applicable to districts for which they are permitted
- Include vehicular parking standards in FCC 10-3 and bicycle parking standards for special housing uses.

7. The City shall determine estimated additional usage and the impacts of proposed development upon maximum capability for sewer, water and stormwater systems. This information is to be included in subdivision and design review staff reports. (pg. II-2)

Finding: The proposal for these actions is consistent with this policy because design review applications must address infrastructure in the following criteria:

- Design review criteria in FCC 10-6 for residential development requires public facilities and infrastructure to meet standards set forth in FCC 10-36 Public Facilities.
- Public facility criteria FCC 10-36-4-A and B require new development to address sanitary sewers, water and stormwater systems based on plans approved by the city that are consistent with applicable construction specifications and the Wastewater Master Plan, Water System Master Plan and Stormwater Master Plan, as well as FCC Title 9, Chapters 2, 3 and 5.

Chapter 10, Housing Opportunities

- 7. Periodically review development code regulations and the zoning map to ensure they encourage a variety of housing types, such as accessory dwelling units, tiny houses, big houses, senior housing, manufactured homes, etc. (pg. X-2)**

Finding: The proposal for these actions is consistent with this policy because the proposal includes expanding residential development opportunities to accommodate special needs housing in multiple districts and reducing the size of single unit detached dwelling lots in the Medium Density District.

- 10. Apply plan designations, zoning districts and regulations to implement the mix of housing indicated in the acknowledge Housing Needs Analysis. (pg. X-2)**

Finding: The proposal for these actions is consistent with this policy because the proposed regulations support the addition of special housing to the mix of housing types identified in the 2017 Housing Needs Analysis (HNA). The HNA identified a need for special needs housing. The proposed code amendments support this housing type by adding standards. The proposed code amendments also permit the opportunity for smaller single unit detached dwellings in the Medium Density District, which is intended to provide more affordable housing options. While there are no proposed changes to the mapped designations or zoning districts, the proposed change support greater flexibility to build more variety of units across more of the existing zones.

Chapter 12: Transportation

Policies

- 26. On-site parking for motor vehicles and bicycles is required except in Downtown Districts where some motor vehicle parking can be provided on the street. (pg. XII-5)**

Finding: The proposal for these actions is consistent with this policy because on-site parking is required for special needs housing and no changes to parking is proposed for the SUDD in the Medium Density District.

Oregon Revised Statutes (ORS)

The procedures for legislative decisions and public hearings are set out in the Florence City Code, which has been acknowledged by DLCD and these local regulations effectively implement state law. The sections of State statute that relate to the

proposed amendments to the city code are listed below with findings to address consistency with these State laws.

ORS 197.303: “Needed housing” defined.

(1) (1) As used in ORS 197.286 to 197.314, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

- (a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;**
- (b) Government assisted housing;**
- (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 (Policy) to 197.490 (Restriction on establishment of park);**
- (d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and**
- (e) Housing for farmworkers.**

Finding: The proposal is consistent with this statute because it provides for additional development of the needed housing types identified in the 2017 Housing Needs Analysis within the Florence UGB. The HNA identified a need for many housing types to include single-family detached homes and special needs housing units. The proposed amendments provide broader lot sizes for the first and opportunity for provision of the latter.

ORS 197.307: Effect of need for certain housing in urban growth areas.

(3) When a need has been shown for housing within an urban growth boundary at particular price ranges and rent levels, needed housing shall be permitted in one or more zoning districts or in zones described by some comprehensive plans as overlay zones with sufficient buildable land to satisfy that need.

Finding: The proposal is consistent with subsection (3) of this statute because it provides for development of the needed housing types identified in the 2017 Housing Needs Analysis within the Florence UGB. The HNA identified a need for single-family detached homes and special needs housing units. The proposed amendments provide for these uses in one or more zoning districts.

(4) Except as provided in subsection (6) of this section, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(6) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in subsection (4) of this section, a local government may adopt and apply an alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of subsection (4) of this section;

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in subsection (4) of this section.

(7) Subject to subsection (4) of this section, this section does not infringe on a local government's prerogative to:

(a) Set approval standards under which a particular housing type is permitted outright;

(b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

Finding: The proposal is consistent with subsections (4), (6) and (7) of this statute because there are no changes to the clear and objective standards related to the proposed Medium Density District single unit detached dwelling lot change. Also, the proposed standards for the missions, emergency shelters, and transitional housing criteria are clear and objective and include criteria related to time, place and manner reviewable under the conditional use procedure. Development standards for residential development in all residential zones are specified in FCC 10-10, including clear and objective standards for uses, minimum lot dimensions, minimum lot area, lot coverage, yard regulations and setbacks, density, height, and site development.

ORS 197.610: Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development; rules.

(1) Before a local government adopts a change, including additions and deletions, to an acknowledged comprehensive plan or a land use regulation, the local government shall submit the proposed change to the Director of the Department of Land Conservation and Development. The Land Conservation and Development Commission shall specify, by rule, the deadline for submitting proposed changes, but in all cases the proposed change must be submitted at least 20 days before the local government holds the first evidentiary hearing on adoption of the proposed change. The commission may not require a local

government to submit the proposed change more than 35 days before the first evidentiary hearing.

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review, the local government shall submit the proposed changes as soon as practicable, but may submit the proposed changes after the applicable deadline.

(3) Submission of the proposed change must include all of the following materials:

(a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan;

(b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the map that is created or altered;

(c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the proposed change;

(d) The date set for the first evidentiary hearing;

(e) The form of notice or a draft of the notice to be provided under ORS 197.763, if applicable; and

(f) Any staff report on the proposed change or information describing when the staff report will be available, and how a copy of the staff report can be obtained.

(4) The director shall cause notice of the proposed change to the acknowledged comprehensive plan or the land use regulation to be provided to:

(a) Persons that have requested notice of changes to the acknowledged comprehensive plan of the particular local government, using electronic mail, electronic bulletin board, electronic mailing list server or similar electronic method; and

(b) Persons that are generally interested in changes to acknowledged comprehensive plans, by posting notices periodically on a public website using the Internet or a similar electronic method.

Finding: The proposal is consistent with this statute because notice to DLCD was sent on December 14, 2023 at least 35 days prior to the January 23, 2024 (first) public hearing and the notice contained the information required in this statute. An addition was sent on January 19, 2024. The notice of proposed change was circulated widely within the city consistent with subsection (4), as detailed in response to Comprehensive Plan Goal 1.

Oregon Administrative Rules (OAR)

The procedures for legislative decisions and public hearings are set out in the Florence City Code, which has been acknowledged by DLCD and these local regulations effectively implement state law. The sections of State rules that relate to the proposed amendments to the City code are listed below with findings to address consistency with these State laws.

OAR 660-008-0015: Clear and Objective Approval Standards Required

(1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.

(2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:

(a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);

(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and

(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.

(3) Subject to section (1), this rule does not infringe on a local government's prerogative to:

(a) Set approval standards under which a particular housing type is permitted outright;

(b) Impose special conditions upon approval of a specific development proposal; or

(c) Establish approval procedures.

Finding: The proposal is consistent with this rule as detailed in the findings for ORS 197.307(4), (6) and (7).

OAR 660-012-0060: Transportation Planning, Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing

requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Finding: The proposal to permit special needs housing and reduced detached dwelling lot sizes do not significantly affect any transportation facilities planned or existing as listed in subsections a-c above.

OAR 660-018-0020: Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

(1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department's Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.

Finding: The proposal is consistent with this rule as detailed in the findings for ORS 197.610.

OAR 660-015-0000 (Goal 10):

To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

[...]

Needed Housing Units -- means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government's acknowledged comprehensive plan, "needed housing units" also includes government-assisted housing. For cities having populations larger than 2,500 people and counties having populations larger than 15,000 people, "needed housing units" also includes (but is not limited to) attached and detached single-family housing, multiple-family housing, and manufactured homes, whether occupied by owners or renters.

[...]

Finding: The proposal is consistent with this rule because it provides for development of the needed housing types identified in the 2017 Housing Needs Analysis within existing buildable lands designated for residential use. The HNA identified a need for single-family detached homes and special needs housing units among many others. The proposed code amendments expand on the 2019 and 2022 housing code updates that supported this full range of housing types and provided for clear and objective criteria. In addition, the 2019 revision added opportunities for triplexes, quadplexes, and cluster housing (FCC Table 10-10-2-A), across four residential zones at differing density ranges (FCC 10-10-2-B for minimum lot sizes and 10-10-4-E for density) to provide for flexibility of housing type and density both within individual zones and across the city as a whole in multiple zones. This proposed change provides opportunities for housing those most in need within the community.

The population of the City of Florence exceeds 2,500 people, so the requirement for various housing types applies. The proposed amendments meet the requirement.

B. IMPLEMENTATION

5. Additional methods and devices for achieving this goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revision; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local health and safety codes; and (7) coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.

Finding: The proposal is consistent with this rule because it includes proposed zoning and land use controls that support implementation of the adopted HNA, including needed housing types as identified above.

Vi. CONCLUSION

The proposed amendments to the Florence City Code Title 10 are consistent with the applicable criteria in the Florence Realization 2020 Comprehensive Plan, Florence City Code, Oregon Revised Statutes and Oregon Administrative Rules.

VII. EXHIBITS

- A. Findings of Fact
- B. Amendments to FCC Title 10, Chapter 11
- C. Amendments to FCC Title 10 Multiple Chapters

Exhibit B

TITLE 10 CHAPTER 11

MISSIONS, EMERGENCY SHELTERS, AND TRANSITIONAL HOUSING

SECTION:

- 10-11-1: Scope
- 10-11-2: Purpose
- 10-11-3: Siting
- 10-11-4: Allowed Structure Types
- 10-11-5: Lot and Yard Dimensions
- 10-11-6: Site and Development Standards
- 10-11-7: Operations and Management

10-11-1: SCOPE: The criteria below apply to all three uses, Missions, Emergency Shelters and Transitional Housing, unless stated otherwise. The inclusion of emergency shelters in this title and chapter does not apply to those uses qualifying under ORS 197.782 and approved by the City Manager. Hotel and motel conversions qualifying under ORS 197.748 and approved by the Community Development Department are also exempt from this Title and Chapter. The applicable criteria include those in this chapter as well as those required under this title.

10-11-2: PURPOSE: The purpose of Chapter 11 is to provide opportunity and development standards for missions, emergency shelters and transitional housing. These uses serve individuals and families experiencing homelessness, providing temporary housing or sleeping accommodations and offer items like food, clothing, and hygiene facilities and typically supportive services such as social services and counseling programs to assist with self-sufficiency.

10-11-3: SITING:

- A.** Missions and Emergency Shelters are allowed to be sited subject to receipt of a conditional use permit on property in commercial and industrial zoning categories as listed on the City of Florence Zoning Map legend, High Density Residential, and on any public property and church property regardless of the underlying zoning designation.
- B.** Transitional Housing is allowed to be sited subject to receipt of a conditional use permit on property in commercial zoning categories as listed on the City of Florence Zoning Map legend, High Density Residential, Professional Office / Institutional, and on any public property and church property regardless of the underlying zoning designation.
- C.** Missions, Emergency Shelters and Transitional Housing are not permitted in any district not listed above. Terminology within the permitted and conditional use sections of code that state other uses similar to those listed are permitted do not apply to these uses.

10-11-4: ALLOWED STRUCTURE TYPES: Regardless of the amenities provided the below are not a “dwelling” as defined under FCC 10-2.

- A. Missions provide shelter without compensation through shared sleeping quarters, similar to barracks, located in a single structure complying with the Oregon State Building Code for that occupancy type.
- B. Emergency Shelters and Transitional Housing provide shelter through sleeping quarters. Units may also include cooking and hygiene facilities in any combination of the following structure types:
 1. Units in dwelling structures complying with Oregon State Building Code
 2. Units in temporary structures complying with the Oregon Transitional Housing Standards
 3. Units in rooms of converted hotel or motel structures
 4. Units in structures with non-residential occupancy classifications and converted to an occupancy classification for residential use using either the Oregon State Building Code or Oregon Transitional Housing Standards
 5. Yurts, Huts, Pallet Shelters, Recreational Vehicles

10-11-5: Lot and Yard Dimensions

- A. Lot Area: The lot area minimum shall be the same as the district.
- B. Lot Coverage: Maximum building and impervious coverage shall be the same as the district, unless a preservation credit is achieved in accordance with FCC 10-34-2-4. All permanent and temporary structures as well as impervious surfaces are used to calculate coverage.
- C. Yard Regulations: All structures shall have a minimum setback of 5 ft. from side and rear property lines, except that if the rear or side yard abuts a residential district, the minimum shall be 10 feet from the abutting property line. The front yard and Highway setbacks shall be the same as the district.

10-11-6: Site and Development Standards:

- A. Building or Structural Height Limitations: The maximum building or structural height shall be thirty-five feet (35'). Associated/accessory structures refer to Section 10-10-5 of this Title for requirements.
- B. The following separation distances are required. Distance is measured in a straight-line measurement in a radius extending for the buffered distance in every direction from any point on the boundary line of the real property comprising the buffered use to the boundary line of the real property comprising the Mission, Emergency Shelter, or Transitional Housing use. The distance limitations are based upon the uses surrounding the proposed Mission, Emergency Shelter, or Transitional Housing location at the time the conditional use application is deemed complete. Zoning district boundaries change at the centerline of the rights of way.
 1. 300 ft. from the Old Town District
 2. 300 ft. from the public or private elementary or secondary schools described under ORS

339.020 or 339.030.

3. 300 ft. from child care facilities licensed by the Oregon Department of Education (registered family child care homes, certified family child care homes, and certified child care centers).
- C.** Except for hotel or motel conversions, density is limited as follows. Emergency Shelters shall have at least 500 sq. ft. of lot area, rounded to the nearest whole number for each bed. Transitional Housing shall have at least 800 sq. ft. of lot area, rounded to the nearest whole number for each housing unit.
- D.** Minimum Structure Separation. When not located in a single structure, units shall be separated from one another by a minimum of five feet.
- E.** Sanitation:
1. Missions shall provide guests on-site toilet and handwashing through shared facilities.
 2. Emergency Shelters shall provide guests, at a minimum, on-site toilet, handwashing, and trash and recycling in any combination of separate or shared facilities.
 3. Transitional Housing shall provide occupants, at a minimum, on-site toilet, shower, handwashing, trash and recycling in any combination of separate or shared facilities.
- F.** Kitchen: Emergency Shelters and Transitional Housing shall serve meals and/or provide cooking and food preparation area in any combination through separate or shared facilities.
- G.** Utilities: The site shall have permanent water and sewer service connections. Units with sanitation and/or kitchen facilities shall be served from the development's common shared water meter and sewer service. Communal kitchen and sanitation facilities shall be connected to water and sewer systems. Fuel based generator use is not permitted. Utilities shall be installed underground.
- H.** Storage and Screening
1. No outdoor storage is permitted, excluding bicycles. Residents shall be provided with enclosed, secure storage facilities for their belongings. Cargo containers are not permitted, except as granted temporarily under 10-4-12-E.
 2. Trash and recycling receptacles stored outside of an enclosed building shall be located within a trash enclosure of a minimum of five (5') feet high solid wall, wood or similar or slatted chain link fence.
 3. Any shelter, kitchen or sanitation structure that does not comply with Oregon State Building Code must be screened from the street and public view with a minimum six (6) ft. tall fence and evergreen vegetated buffer screening at least 75% of the view at maturity.
- I.** Parking: In addition to the below refer to Chapter 3 of this Title for specific parking requirements.

1. Missions and Emergency Shelters: Vehicular parking shall be provided at a ratio of one space per 6 beds and one space per 400 sq. ft. of office, meeting, or similar staffing support facility space. Bicycle spaces shall be provided at a ratio of one space per four beds.
 2. Transitional Housing Developments: Vehicular parking shall be provided at a ratio of one space for every two units and one space per 400 sq. ft. of office, meeting, or similar staffing support facility space. Bicycle spaces shall be provided at one space per four units.
- J.** Pets: Pet relief area shall be provided if pets are permitted in a Mission, Emergency Shelter or Transitional Housing development and the area will be kept free of feces. Pets must be on leash when not in units, crates or a fenced run area.
- K.** Smoking: Designated areas for smoking shall not be located within the required setback areas and shall be screened from the street and public view.
- L.** Lighting: Refer to Section 10-37 of this Title for requirements.
- M.** Access and circulation: Refer to Section 10-35 of this Title for requirements.
- N.** Public Facilities: Refer to Section 10-36 of this Title for requirements
- O.** Fences, Hedges, Walls and Landscaping: Refer to 10-34 of this Title for requirements

10-11-7: Operations and Management

- A.** Site Manager: Missions, Emergency Shelters and Transitional Housing must have an assigned site manager, who can be an owner-occupant, tenant, lessee or person other than an owner who has possession and/or control of the property. The site manager shall provide local contact information, name and telephone number, to all property owners and residents within 500 feet of the site on an annual basis. The site manager must be available to accept and immediately respond to telephone calls during business hours. Any change in local contact person must be reported to the city and property owners and residents within 500 feet of the site at least seven days prior to the date the change takes effect.
- B.** Management plan: An operations and security plan for Missions and Emergency Shelters and an operations and security plan and case management plan for Transitional Housing and shall be submitted to the city at the time of land use application for review and approval. Plan revisions shall be provided to the city in the annual report.
- C.** Code of Conduct: The site manager shall provide to all occupants and guests a code of conduct. The occupants and guests are expected to also adhere to city code that governs behavior within the city. A copy of the code of conduct shall be submitted to the city at the time of application.
- D.** Eligibility: Preference should be given to individuals in the following order: those originally from Florence or have been living within the Siuslaw School District for the past year.
- E.** Periodic Review. The managing agency shall file an annual report of operations with the city by July 31st. The report shall include information such as the number of occupants served and how the conditions of approval are continuing to be met. Periodic review shall be conducted one

year from occupancy at which time City staff may conduct a site visit to ensure the facility meets the conditions of its land use approval.

DRAFT

Exhibit C

TITLE 10 CHAPTER 10

RESIDENTIAL DISTRICTS

SECTION:

....

10-10-4: Lot and Yard Provisions

....

(Add the below rows to the tables on the bottom of the page)

10-10-4: LOT AND YARD PROVISIONS:

A. Minimum Lot Dimensions: To be designated a building site, a lot must meet the following minimum lot dimensions:

Table 10-10-4-A. Minimum Lot Dimensions by Development Type

Type	MDR	
	Width	Depth
Single-unit detached dwelling (new subdivision plats of 5 or more units)	35 ft.	80 ft.

B. Minimum Lot Area: To be designated a building site, a lot must meet the following minimum lot area:

Table 10-10-4-B. Minimum Lot Area by Development Type

Development Type	MDR
Single-Unit detached dwelling (new subdivision plats of 5 or more units)	4,000 sq. ft.

Table 10-10-4-A. Minimum Lot Dimensions by Development Type¹

Type	LDR		MDR		RMH		HDR	
	Width	Depth	Width	Depth	Width	Depth	Width	Depth
All development types including single-unit detached ² , except:	50 ft.	80 ft.	50 ft.	80 ft.	50 ft.	80 ft.	50 ft.	80 ft.
Single-unit attached dwelling	N/A	N/A	25 ft.	80 ft.	25 ft.	80 ft.	25 ft. ³	80 ft. ³
Manufactured Home Park	N/A	N/A	50 ft.	80 ft.	35 ft.	70 ft.	35 ft.	70 ft.
¹ Undersized lots of record with dimensions below the minimum may still be eligible for development. See Section 10-10-12. ² Cluster housing shall meet minimum lot sizes in FCC 10-10-8-C-2-b. ³ The single-unit attached dwelling dimensions shall also apply to single-unit detached dwellings in the HDR zone. Dimensions in 10-10-4-A are meant to be the minimum for each category and are not intended necessarily to be used together, minimum lot size is required.								

Table 10-10-4-B. Minimum Lot Area by Development Type.¹

Development Type	LDR	MDR	RMH	HDR
Single-unit detached dwelling	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	2,000 sq. ft.
Manufactured home or prefabricated dwelling on an individual lot	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	2,000 sq. ft.
Single-unit attached dwelling	N/A	3,000 sq. ft.	3,000 sq. ft.	2,000 sq. ft.
Duplex	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	2,000 sq. ft.
Tri-plex	N/A	7,500 sq. ft.	7,500 sq. ft.	5,000 sq. ft.
Four-plex	N/A	10,000 sq. ft.	10,000 sq. ft.	5,000 sq. ft.
All other development types ²	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
¹ Undersized lots of record with area below the minimum may still be eligible for development. See Section 10-10-12 of this Title. ² Cluster housing shall meet minimum lot sizes in FCC 10-10-8-C-2-a.				

TITLE 10
CHAPTER 2

GENERAL ZONING PROVISIONS

10-2-13: DEFINITIONS:

...
EMERGENCY SHELTER A facility that has the primary purpose of providing shelter for those individuals and families experiencing homelessness in general or specialized populations of homeless and the use does not require occupants to sign a lease or occupancy agreements.

...

MISSION A facility that provides on-site shelter, basic needs and comprehensive services for individuals and families who are impoverished or experiencing homelessness.

...

TRANSITIONAL HOUSING A congregate facility designed to provide housing to shelter families and individuals offered on a short term basis. The facility may offer meals, lodging and associated services on site, aimed at helping people move towards self-sufficiency. Transitional facilities are not considered bed and breakfast inns / boarding houses, hotels or motels. Residential shelter provided for an extended but definite period that is integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of permanent housing.

TITLE 10
CHAPTER 10
RESIDENTIAL DISTRICTS

...

10-10-2: Residential Uses:

A. Table 10-10-2-A. The following table indicates which uses are permitted in each residential zone.

Uses	LDR	MDR	RMH	HDR
Single-unit detached dwelling	P	P	P	C
Accessory structure	P	P	P	P
Accessory dwelling unit	P	P	P	P
Single-unit attached dwelling	N	SR	SR	P
Duplex	P	P	P	P
Tri-plex	N	C	C	P
Quad-plex	N	C	C	P
Multi-unit (5+ units)	N	N	N	SR
Cluster housing	N	C	C	P
Temporary dwelling/RV – Medical hardship	C	C	C	C

Manufactured home	P	P	P	C
Prefabricated dwelling	P	P	P	C
Manufactured home park/subdivision	N	C	SR	SR
Mobile home park	N	N	SR	SR
Residential Care Facility/Nursing Home	SR	SR	SR	SR
Boarding house/dormitory	N	C	C	SR
Transitional housing	N & E	N & E	N & E	C
Religious institution housing or parsonage	C	C	C	C
Planned Unit Development	D	D	D	D

P=Permitted with Type I review, SR=Type II site review required, C=Type III conditional use review required, N=Not permitted, D=Type III Planning Commission Review E= Type III conditional use review for publicly owned properties and religious institution use properties only.

...

Additional Code Change Proposals:

TITLE 10
CHAPTERS

- 14 Neighborhood Commercial District**
- 15 Commercial District**
- 16 Highway District**
- 27 Mainstreet**
- 30 North Commercial**

Missions, Emergency Shelters and Transitional Housing permitted conditionally

- 20 Limited Industrial**
- 28 Pacific View Business Park**
- 31 Service Industrial**

Missions and Emergency Shelters permitted conditionally

- 25 Professional Office / Institutional**

Transitional Housing permitted conditionally

DRAFT Code Update Attachment A

Transitional Housing

Under provisions that implement HB 2916 (ORS 446.265), the State allows jurisdictions the option of permitting transitional housing. Pursuant to the provision, transitional housing is “accommodations (that) are intended to be used by individuals or families on a limited basis for seasonal, emergency or transitional housing purposes and may include yurts, huts, cabins, fabric structures, tents and similar accommodations.” The transitional housing accommodations are limited to persons who lack permanent or safe shelter or cannot be placed in other low income housing. Pursuant to the provision, the City has the authority to limit the maximum amount of time that an individual or family may use the accommodations.

The State provisions allow some requirements to be placed on transitional housing. Accommodations may be required to provide parking facilities, walkways, and access to water, toilets, showers, laundry, cooking, telephone or other services either through separate or shared facilities.¹

Beyond the definition of transitional housing, there are no standards in Title 10 or 11 that are directly associated with this housing type. Provisions that have been adopted by other jurisdictions include:

City	Use Categories & allowed zones	Types of shelter allowed	Max Stay	Development Standards/misc requirements
Bend	<ul style="list-style-type: none"> Allowed in most zones New is a Type II review, expansion of existing is Type I 	<ul style="list-style-type: none"> Hardship housing Temporary shelter Group shelters Outdoor shelters Multi-room shelters 	180 days (length of time shelter is allowed to operate)	<ul style="list-style-type: none"> “Good neighbor” guidelines On-call or on-site management Underlying zoning requirements apply with some exceptions Waiting/intake areas Transportation access and utility connections required
Portland	<ul style="list-style-type: none"> “Community Service” Allowed in almost all zones 	<ul style="list-style-type: none"> Occupied RVs Group living Short term, mass, and outdoor shelter 	<ul style="list-style-type: none"> Outdoor and mass shelters – 180 days 	<ul style="list-style-type: none"> Occupied RVs are exempt from base zone development standards and density standards. Prohibited from being an STR Parking requirements for occupied RVs are the

¹ Note: According to ORS 446.265, the Oregon Health Authority may develop public health best practices for shared health and sanitation facilities for transitional housing accommodations.

				<p>same as parking requirements for unoccupied RVs</p> <ul style="list-style-type: none"> • No min parking for group living
Salem	<ul style="list-style-type: none"> • Allowed as a “class 1” or “class 2” temporary use permit 	<ul style="list-style-type: none"> • Managed temporary village. Allows: <ul style="list-style-type: none"> ○ Prefab structures, such as tiny homes, yurts, conestoga huts ○ Tents ○ Vehicles and RVs ○ *improvised camps not allowed 		<ul style="list-style-type: none"> • Various operational and on-site standards
Seattle		<p>Transitional Encampments</p>		<ul style="list-style-type: none"> • Various requirements for fire safety/health hazards, utilities/cleaning/cooking facilities, other
Silverton	<ul style="list-style-type: none"> • Allowed on properties owned by religious use • Conditional use process • Required to undergo periodic review and renewal 	<p>Transitional Shelter Community</p> <ul style="list-style-type: none"> • Allows: <ul style="list-style-type: none"> ○ Stick built or prefab structures ○ Must be detached ○ Fabric walls prohibited (tents, yurts) ○ Vehicles, manufactured dwellings, trailers not allowed 	18 months	<ul style="list-style-type: none"> • Various development standards • No outdoor storage allowed • Fencing required • Case management/operations plan required • Code of conduct required • Priority given to individual from Silverton • Occupancy limited to 1 person per shelter

Definitions

Portland

Mass Shelter - . A building that contains one or more open sleeping areas, or is divided only by non-permanent partitions, and furnished with beds, cots, floor mats, or bunks. Individual bedrooms are not

provided. The shelter may or may not have food preparation or shower facilities. The shelter is managed by a public or non-profit agency to provide shelter, with or without a fee, with no minimum length of stay. Where individual bedrooms are provided, the facility is a short term shelter. See also Outdoor Shelter and Short Term Shelter.

Outdoor Shelter - Individual shelters grouped together in an outdoor setting. Examples of individual shelters include tents, yurts, huts, cabins, vehicles or other similar accommodation that do not contain sanitary or cooking facilities, and recreational vehicles with or without cooking and sanitary facilities. The shelter is managed by a public agency or a non-profit agency, with or without a fee, and with no minimum length of stay. An outdoor shelter may or may not include buildings that have food preparation or sanitary facilities. See also Mass Shelter and Short Term Shelter.

Short Term Shelter - A building that contains one or more individual bedrooms, and where occupancy of all rooms may be arranged with no minimum length of stay. The short term shelter facility may or may not have food preparation facilities, and shower or bath facilities may or may not be shared. The facility is managed by a public or non-profit agency to provide shelters, with or without a fee. Examples include transitional housing, and emergency shelters where individual rooms are provided. Where individual bedrooms are not provided, the facility is a mass shelter. See also Mass Shelter and Outdoor Shelter.

Bend

Temporary housing means a permanent facility providing temporary shelter for individuals and/or families who are homeless or in transition. Services may be provided including, but not limited to, accommodations, meals, toilet/bathing facilities, clothing/laundry, case management services and information on or referral to other community resources.

Recreational vehicle means a vehicle with or without motive power that is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and as further defined, by rule, by the Director of the Department of Consumer and Business Services Transportation. ***(Underlined added by the Planning Commission on March 8, 2022)***

means a location for overnight accommodation of people who lack housing. A shelter is either a group shelter, outdoor shelter, or a multi-room shelter. See BDC 3.6.600, Shelters. **Shelter**

1. Group shelter means a building that contains one or more open sleeping areas, or is divided only by nonpermanent partitions, furnished with cots, floor mats, bunks, or other sleeping accommodations, for use as a shelter. See BDC 3.6.600, Shelters.

2. Outdoor shelter means a site on which multiple mobile or permanent units including tents, yurts, huts, cabins, manufactured dwellings, recreational vehicles, travel trailers, and other similar structures are placed for use as a shelter. See BDC 3.6.600, Shelters.

3. Multi-room shelter means a building that contains individual sleeping rooms for use as a shelter. See BDC 3.6.600, Shelters.

Shelter, Temporary means group shelters, multi-room, or outdoor shelters used for a limited period. See BDC 3.6.400(I). For temporary hardship housing, see Hardship Housing and BDC 3.6.400(H) .
(Deleted by the City Council on May 18, 2022)

Gresham

Transitional Housing. Housing provided for an extended period and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Seattle

Transitional Encampment. Means a use having tents or a similar shelter, including vehicles used for shelter, that provides temporary quarters for sleeping and shelter. The use may have common food preparation, shower, or other commonly-used facilities that are separate from the sleeping shelters.

Silverton

Transitional Housing Communities. Per ORS [446.265](#). Accommodations that may consist of separate facilities, in the form of sleeping pods or other approved structures, for use as living units by one or more individuals or by families. The person establishing the accommodations shall provide access to water and toilet through separate or shared facilities, and may provide access to shower, laundry, cooking, telephone or other services either through separate or shared facilities. The accommodations shall provide parking facilities and walkways. Transitional housing accommodations shall be limited to persons who lack permanent shelter and cannot be placed in other low income housing.

HUD

Transitional Housing (TH) provides temporary housing with supportive services to individuals and families experiencing homelessness with the goal of interim stability and support to successfully move to and maintain permanent housing. TH projects can cover housing costs and accompanying supportive services for program participants for up to 24 months.

Participants in a TH project must have a signed lease, sublease, or occupancy agreement with the following requirements:

- An initial term of at least one month
- Automatically renewable upon expiration, except by prior notice by either party
- A maximum term of 24 months

Sample Code Section

Under provisions that implement HB 2916 (ORS 446.265), the State allows jurisdictions the option of permitting transitional housing. Pursuant to the provision, transitional housing is “accommodations (that) are intended to be used by individuals or families on a limited basis for seasonal, emergency or transitional housing purposes and may include yurts, huts, cabins, fabric structures, tents and similar accommodations.” The transitional housing accommodations are limited to persons who lack permanent or safe shelter or cannot be placed in other low income housing. Pursuant to the provision, the City has the authority to limit the maximum amount of time that an individual or family may use the accommodations.

The State provisions allow some requirements to be placed on transitional housing. Accommodations may be required to provide parking facilities, walkways, and access to water, toilets, showers, laundry, cooking, telephone or other services either through separate or shared facilities.

Beyond the definition of transitional housing, there are no standards in Title 10 or 11 that are directly associated with this housing type. **To start the discussion, we have drafted provisions for transitional housing that are largely based off what other jurisdictions in Oregon are doing. At a minimum, we recommend the City allow transitional housing as a conditional use in all residential, commercial, institutional/office, and commercial zones. Allowing transitional housing in these areas is consistent with the other affordable housing requirements included in the Code update.**

10-38-5 Transitional Housing

- A. Transitional housing is allowed under the following circumstances:
 - 1. On land used as a religious institution or place of worship per FCC 10-2, regardless of the underlying zoning designation.
 - 2. In areas zoned to allow transitional housing, per FCC 10-10
- B. Allowed shelter types.
 - 1. Stick-built detached or attached units
 - 2. Prefabricated or manufactured units
 - 3. Yurts
 - 4. RVs or mobile homes
- C. Maximum Building Footprint. The maximum building floor space for each shelter unit is 400 square feet.
- D. Maximum Number of Units. The maximum number of units per parcel is one for every 1,000 square feet of area of the site the units are to be located on, rounded to the nearest whole number.
- E. Length of stay. An occupant may reside in a transitional housing dwelling for up to 18 months.
- F. Bathrooms and Kitchens. Bathrooms and kitchens are prohibited in the shelter units. Instead, common permanent bathroom facilities available all hours of all days shall be provided for the residents and kitchen facilities may be provided to residents.
- G. Utilities. Water service, sanitary sewer service, natural gas service, propane heaters, and generators are prohibited in the shelter units but are permitted in common facilities. Trash and recycling service is to be provided in the vicinity of the use.
- H. Storage. No outdoor storage is permitted, excluding bicycles. Residents shall be provided with enclosed, secure storage facilities for their belongings.

- I. Minimum Rear and Side Yard Depth. The minimum rear and side yard depth is five feet, except that if the rear or side yard abuts a residential district, the minimum shall be 10 feet from the abutting lot line.
- J. Minimum Structure Separation. Structures shall be separated from one another by a minimum of five feet.
- K. Conditional Use. Transitional shelter communities shall be reviewed as a conditional use; however, no fee shall be charged for such review.
- L. Periodic Review and Renewal. Transitional housing developments shall require periodic review and renewal. The first periodic review and renewal shall be conducted one year from occupancy and shall follow the conditional use review procedure. If renewal is approved, periodic review and renewal shall be conducted bi-annually from that point, following the conditional use review procedure.
- M. Financial security (bonds, petitions, cash, etc.) to ensure the removal of the improvements should approval not be renewed shall be provided to the city prior to occupancy.
- N. Site manager. Each transitional housing development must have an assigned site manager, who can be an owner-occupant, tenant, lessee or person other than an owner who has possession and/or control of the property. The site manager shall provide local contact information, name and telephone number, to all property owners and residents within 500 feet of the site on an annual basis. The site manager must be available to accept and immediately respond to telephone calls during business hours. Any change in local contact person must be reported to the city and property owners and residents within 500 feet of the site at least seven days prior to the date the change takes effect.
- O. Management plan. An operations, security, and case management plan for the transitional shelter community shall be submitted to the city at the time of application for review and approval.
- P. Code of Conduct. The managing agency shall provide to all residents of the transitional housing development a code of conduct for living at the transitional shelter community, including information regarding the noise disturbance standards of FCC XX, the chronic nuisance property standards of FCC XX, and the Periodic Review and Renewal timetable. A copy of the code of conduct shall be submitted to the city at the time of application for review and approval.
- Q. Eligibility. Priority should be given to individuals that have been living within Florence or Lane County (excluding Eugene) for the past year.

Other resources

- Rogue Retreats: <https://www.rogueretreat.org/housing-shelter/>
- Portland S2HC: <https://www.portland.gov/bps/planning/s2hc>
- PSU HRAC: <https://www.pdx.edu/homelessness/evaluation-best-practices-village-model>

- Portland Transition Projects: <https://www.tprojects.org/>
- Oregon PSH Program: <https://www.oregon.gov/ohcs/development/Pages/permanent-supportive-housing.aspx>
- Bend Outdoor Shelters Program: <https://www.bendoregon.gov/city-projects/community-priorities/houselessness/outdoor-shelter>
- HUD Exchange Continuum of Care (CoC) Program Eligibility:
<https://www.hudexchange.info/programs/coc/coc-program-eligibility-requirements/>
 - [HUD TH Definition](#)

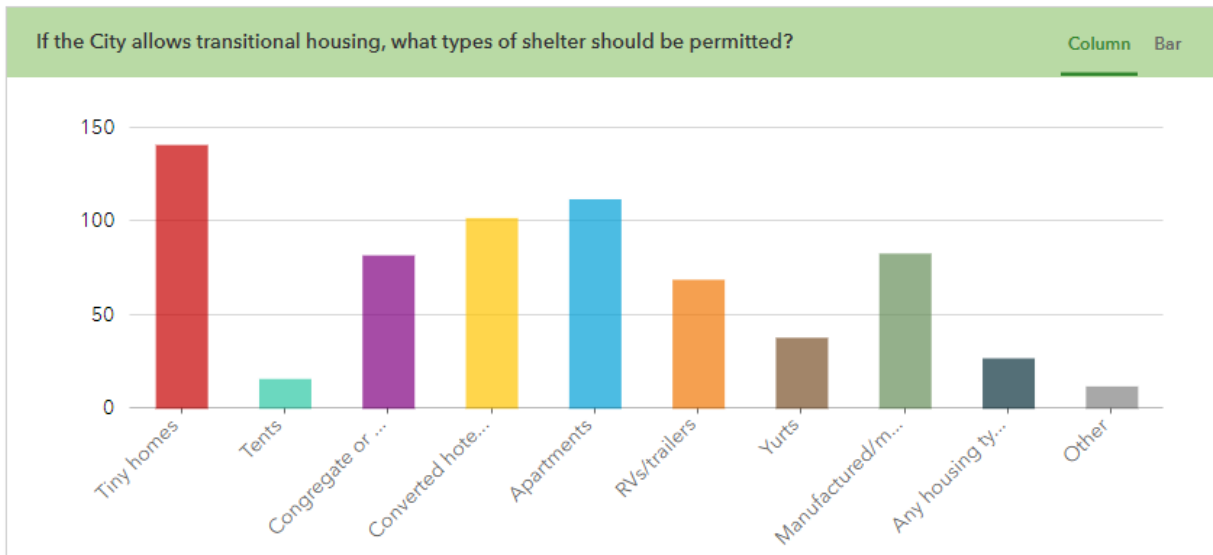
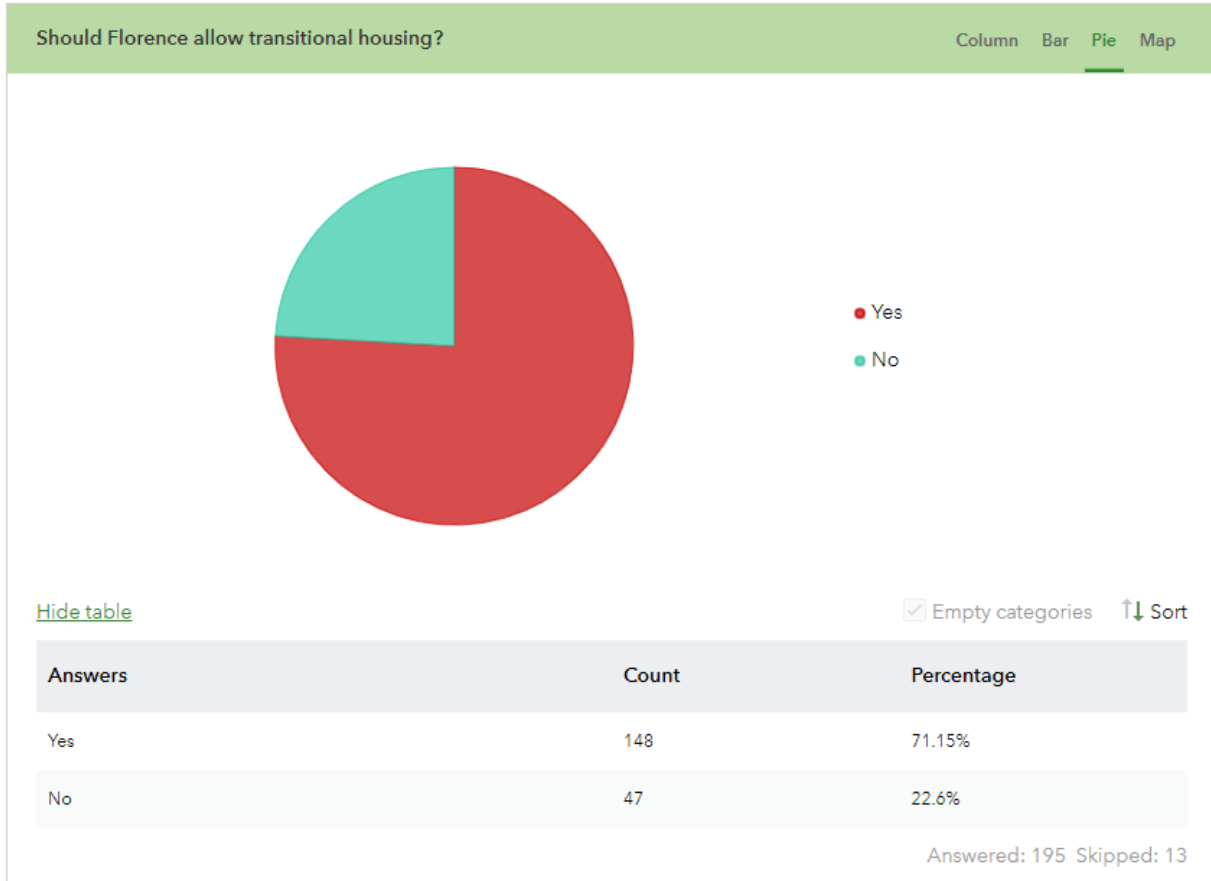
HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



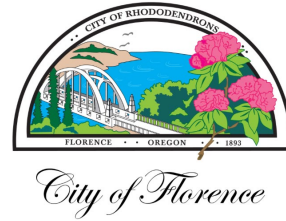
2B



TRANSITIONAL HOUSING SURVEY



HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



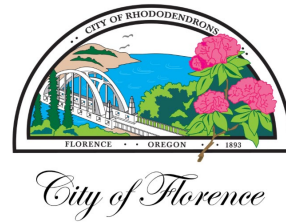
Answers	Count	Percentage
Tiny homes	141	67.79%
Tents	16	7.69%
Congregate or group housing	82	39.42%
Converted hotels or motels	102	49.04%
Apartments	112	53.85%
RVs/trailers	69	33.17%
Yurts	38	18.27%
Manufactured/mobile homes	83	39.9%
Any housing type	27	12.98%
Other	12	5.77%

Answered: 184 Skipped: 24

If you selected "other" in the previous question, what other types of shelter should be allowed as transitional housing?

- Redevelopment of vacant/abandoned buildings
- Designated overnight parking areas for vehicles
- Several comments suggesting no transitional housing should be allowed

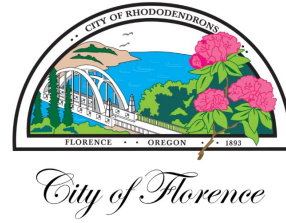
HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



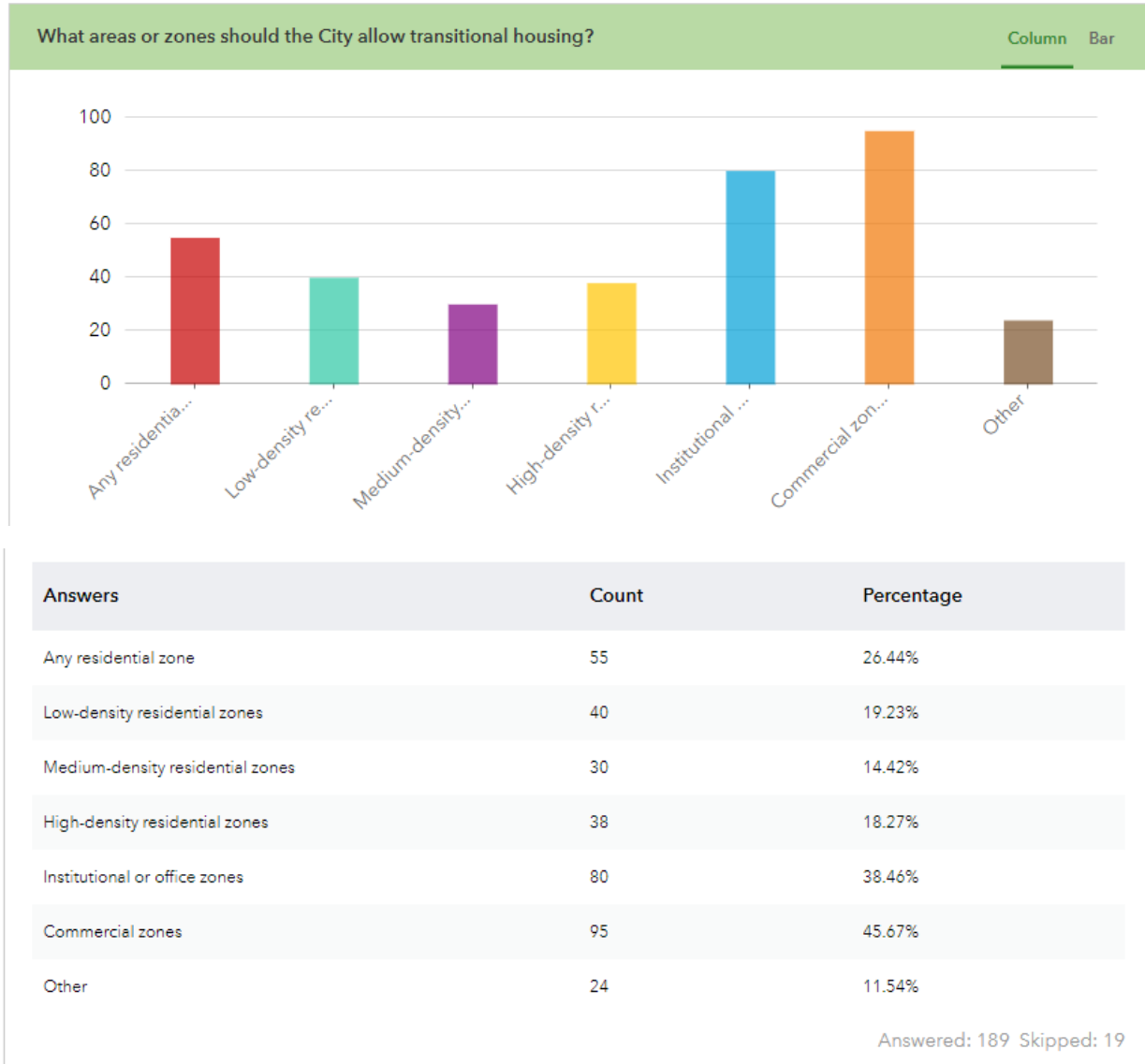
If you selected "other" in the previous question, what do you think the maximum length of stay should be for transitional housing guests?

- Zero
- Under six months
- Indefinitely until the guest finds permanent housing and/or work

HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



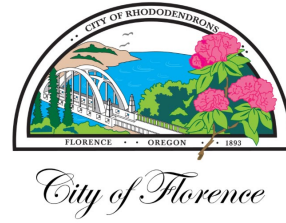
- 45 days
- 18 months



If you selected "other" for the previous question, what areas should allow transitional housing?

- On any vacant property
- Within a certain distance of services
- Outside city limits

HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



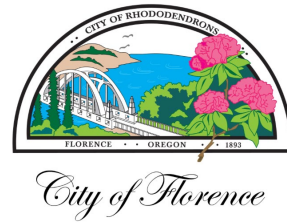
- Land owned by religious institutions
- Anywhere



Answers	Count	Percentage
Landscaping/screening requirements	135	64.9%
Minimum parking	127	61.06%
Bike parking	116	55.77%
Storage facilities	111	53.37%
Minimum open space	68	32.69%
Common spaces/areas	117	56.25%
Must have architectural design requirements	83	39.9%
Other	19	9.13%

Answered: 188 Skipped: 20

HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY

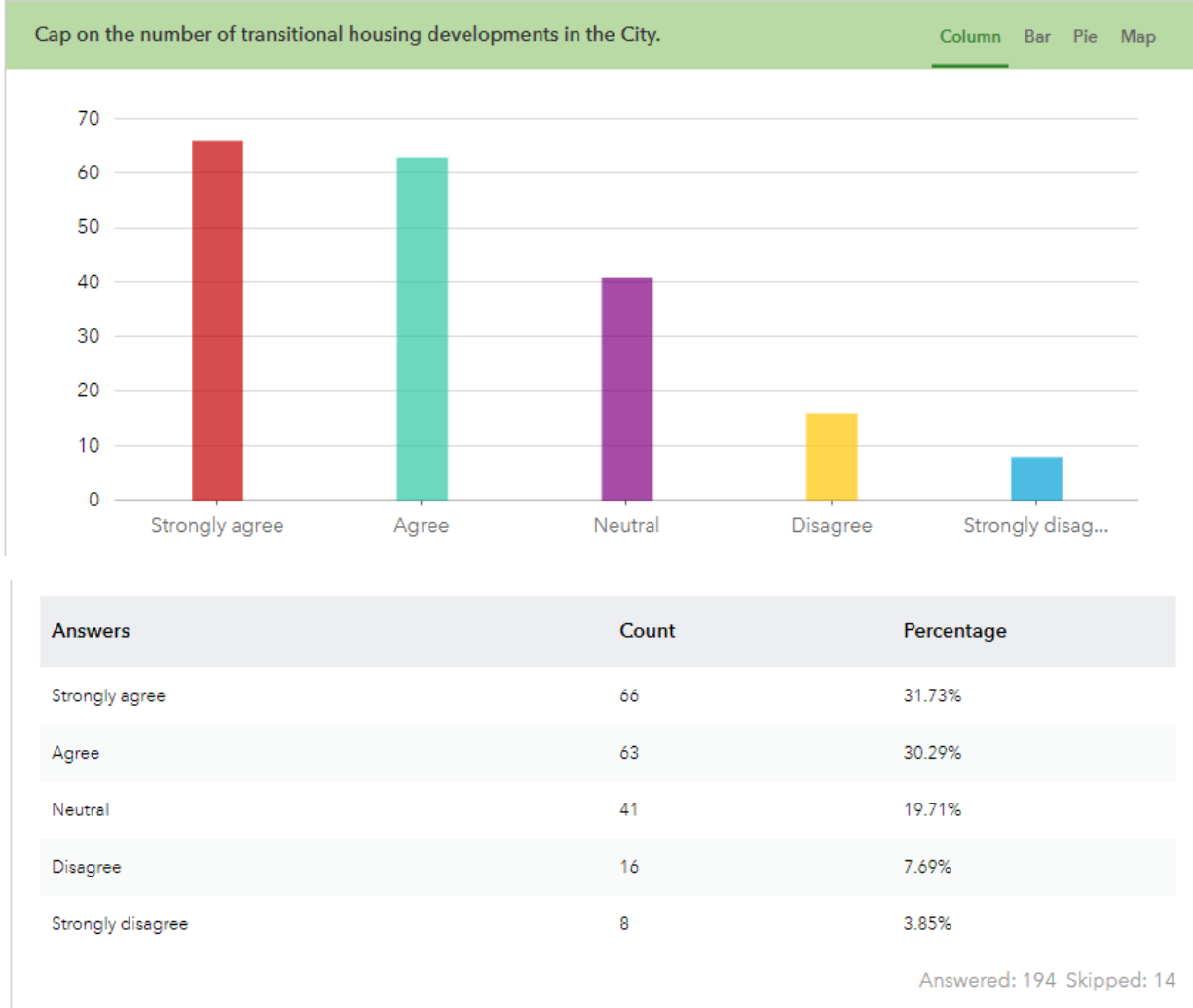
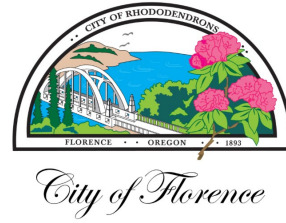


If you selected "other" in the previous question, what kind of development standards or amenities should be required with transitional housing?

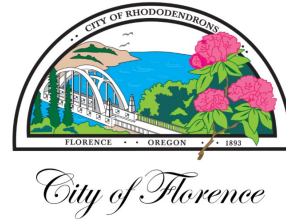
- Security
- Basic amenities (wifi, laundry)
- General maintenance for a clean property
- ADA
- Transit access

Please indicate how much you agree with the following transitional housing strategies:

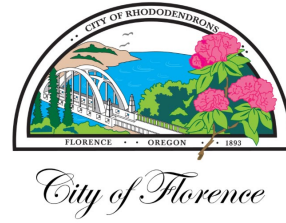
HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



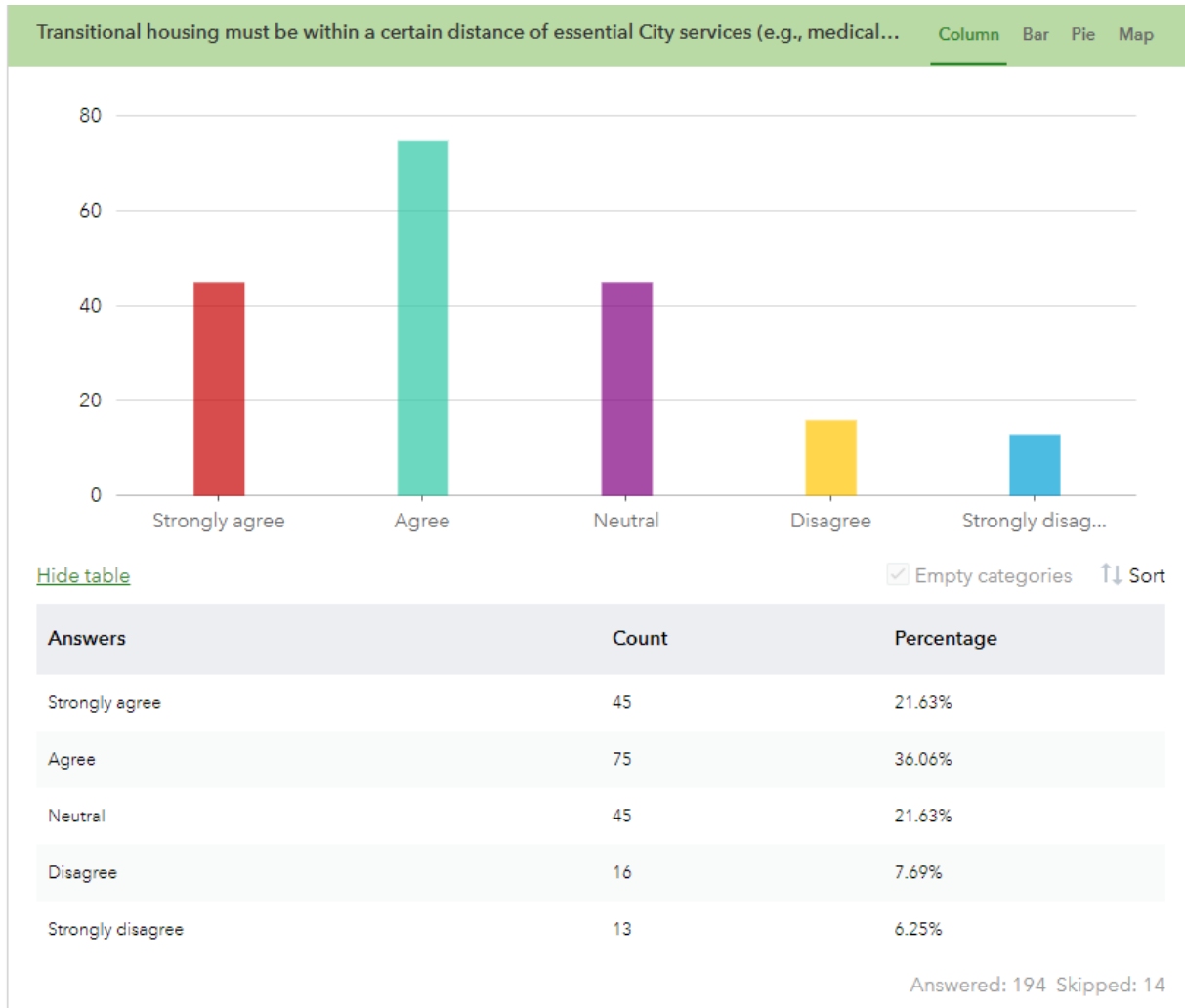
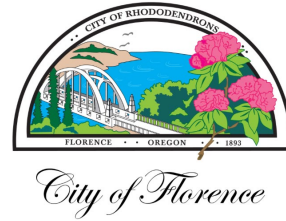
HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



HOUSING IMPLEMENTATION PLAN OPEN HOUSE/SURVEY #1 SUMMARY



If you have other ideas for how Florence should limit or manage the location and number of transitional housing projects, please write them here.

- Concerns transitional housing will attract more people experiencing homelessness from other areas
- Need supportive wrap-around services
- Must be close to services
- Should be close to transit
- On-site management and operational/maintenance standards

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 23 32 TA 06

A RECOMMENDATION TO THE CITY COUNCIL TO MAKE LEGISLATIVE AMENDMENTS TO THE FLORENCE CITY CODE TITLE 10, TO SUPPORT TRANSITIONAL HOUSING, MISSIONS AND EMERGENCY SHELTERS ASSOCIATED WITH PHASE 2 OF THE HOUSING IMPLEMENTATION PLAN PROJECT AND REDUCE LOT DIMENSIONS FOR MEDIUM DENSITY SINGLE UNIT DETACHED DWELLINGS.

WHEREAS, Application was made through initiation by the Planning Commission to amend Florence City Code, as required by FCC 10-1-3-C; and

WHEREAS, the notice was sent to the Department of Land Conservation and Development on December 14, 2023, not less than 35 days prior to the first evidentiary hearing; and


WHEREAS, the Planning Commission met in a duly noticed public hearing on January 23, 2024 as outlined in Florence City Code 10-1-1-6-4, to consider proposal, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission determined per FCC 10-1-1-6-4, after review of the proposal, findings of fact, testimony and evidence in the record, that the proposal meets the criteria; and

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

The proposed code amendments shown in Exhibits "B" and "C", meet the applicable criteria in Florence City Code, Florence Realization 2020 Comprehensive Plan, Oregon Revised Statutes and Oregon Administrative Rules. The Planning Commission recommends approval of the code amendments to the Florence City Council.

ADOPTED BY THE FLORENCE PLANNING COMMISSION the 23rd day of January 2024.



 SANDRA YOUNG, Chairperson
 Florence Planning Commission

January 23, 2024

 DATE

TITLE 10
CHAPTER 2

GENERAL ZONING PROVISIONS

10-2-13: DEFINITIONS:

EMERGENCY SHELTER A facility that has the primary purpose of providing temporary housing for homeless in general or specialized populations of homeless and the use does not require occupants to sign a lease or occupancy agreements. *The status of temporary housing is not lost when there is no other available housing, transitional or permanent, for the residents.*

MISSION A *faith based facility* program that provides on-site housing, basic needs and comprehensive services for individuals and families who are impoverished or experiencing homelessness.

Requiring it to be faith based, discriminates on the basis of religion

TRANSITIONAL HOUSING A congregate facility designed to provide housing to shelter families and individuals offered on a short-term basis. The facility may offer meals, lodging and associated services on-site, aimed at helping people move towards self-sufficiency. Transitional facilities are not considered bed and breakfast inns / boarding houses, hotels or motels.

Residential shelter provided for an extended but definite period that is integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

This definition does not address housing for those disabled and elderly individuals who are unable to transition to self-sufficiency or safety (housing). The status of being confined definite period shall be extended to the date certain when permanent housing is obtained or obtainable in the community.

10-10-2 Residential Uses:

A. Table 10-10-2-A. The following table indicates which uses are permitted in each residential zone.

Uses	LDR	MDR	RMH	HDR
Single-unit detached dwelling	P	P	P	C
Accessory structure	P	P	P	P
Accessory dwelling unit	P	P	P	P
Single-unit attached dwelling	N	SR	SR	P
Duplex	P	P	P	P
Tri-plex	N	C	C	P
Quad-plex	N	C	C	P
Multi-unit (5+ Units)	N	N	N	SR
Cluster housing	N	C	C	P
Temporary dwelling/RV - Medical hardship	C	C	C	C

This not need remove if all Temporary dwellings/RV medical hardship is to be off the land use category?

Unequal treatment of manufactured homes

Manufactured home	P	P	P	C
Prefabricated dwelling	P	P	P	C
Manufactured home park/subdivision	N	C	SR	SR
Mobile home park	N	N	SR	SR
Residential Care Facility/Nursing Home	SR	SR	SR	SR
Boarding house/dormitory	N	C	C	SR
Transitional housing	N & E	N & E	N & E	E
Religious institution housing or parsonage	C	C	C	C
Planned Unit Development	D	D	D	D

P=Permitted with Type I review, SR=Type II site review required, C=Type III conditional use review required and N=Not permitted, D=Type III Planning Commission Review E= Type III conditional use review on publicly owned properties and religious institution use properties only.

Additional Code Change Proposals:

TITLE 10 CHAPTERS

- 14 Neighborhood Commercial District
- 15 Commercial District
- 16 Highway District
- 27 Mainstreet
- 30 North Commercial

Missions, Emergency Shelters and Transitional Housing permitted conditionally

- 20 Limited Industrial
- 28 Pacific View Business Park
- 31 Service Industrial

Missions and Emergency Shelters permitted conditionally

25 Professional Office / Institutional

Transitional Housing permitted conditionally

THIS SUBJECTS ARE PROJECT TO THE NEW STRICTEST REVIEW WHICH IS GUARANTEED WITH DISCRIMINATORY FERVOR.

→ Instead adopt the emergency siting rules that focus only on health + safety, adopt public health standards for sanitary + water and do not require permanent sewer + water hookups for non-permanent categories that include emergency + transitional

V. FINDINGS

Florence City Code (FCC)

Title 10 Zoning Regulations, Chapter 1 Zoning Administration

FCC 10-1-1-6-4 Type IV Procedure (Legislative)

A. A legislative change in zoning district boundaries, in the text of this Title, (Title 10), Title 11, or in the Comprehensive Plan may be initiated by resolution of the Planning Commission or by a request of the Council to the Planning Commission that proposes changes be considered by the Commission and its recommendation returned to the Council, or by an application for an amendment by a citizen.

D. Notice of Hearing: 1. Required hearings. A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications (e.g., re-zonings and comprehensive plan amendments).

2. Notification requirements. Notice of public hearings for the request shall be given by the Planning Department in the following manner:

b. At least 10 days before the scheduled Planning Commission hearing date, and 14 days before the City Council hearing date, public notice shall be published in a newspaper of general circulation in the City.

c. The City Planning Official or designee shall: 1. For each mailing of notice, file an affidavit of mailing in the record as provided by subsection. 2. For each published notice, file in the record the affidavit of publication in a newspaper that is required in subsection b. d. The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and zoning code amendments at least 35 days before the first evidentiary hearing.

3. Content of notices. The mailed and published notices shall include the following information:....

The City of Florence initiated the changes via the Planning Commission on December 12, 2023. There were two hearings scheduled, one before the Planning Commission on January 23, 2024 and one before the City Council on February 5, 2024. The media notices included the required information and were performed as required in these criteria and as discussed elsewhere in the findings.

FCC 10-1-3 Amendments and Changes,

A. Purpose: As the Comprehensive Plan for the City is periodically reviewed and revised, there will be a need for changes of the zoning district boundaries and the various regulations of this Title. Such changes

or amendments shall be made in accordance with the procedures in this Section.

Section C Legislative Changes

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

Finding: This legislative change was initiated by a resolution of the Florence Planning Commission, Resolution PC 23 29 TA 05, adopted by the Planning Commission on December 12, 2023.

- 2. Notice and Public Hearing:** Such notice and hearing as prescribed by state law and the Comprehensive Plan then in effect.

Finding: Notification of the Planning Commission and City Council public hearings for this proposal were published in the Siuslaw News on January 10th and 17th, 2024. The notification procedures meet the requirements of Florence City Code, the policies of the Florence Realization 2020 Comprehensive Plan, and state law. DLCD notice was posted on December 14th and then again on January 19th in accordance with state law.

Realization 2020, Florence Comprehensive Plan

Plan Adoption, Amendments, Review and Implementation

Adoption of the Plan represents a commitment by the City to attempt the achievement of what the Plan proposes and is considered by other governmental units, the courts and the public to be a statement of policy. City ordinances covering development and land use must be consistent with the intent of the Plan. Federal, State, County and Special District land use actions must also be consistent with the Plan. (pp. 2-3)

Finding: The proposed amendments to the City zoning and development code support residential development consistent with the Plan and the adopted Housing Needs Analysis (2018). The proposed code amendments are internally consistent. The applicable Plan policies for the proposed amendments are addressed in the policies that follow. These findings are incorporated herein.

Chapter 1: Citizen Involvement

Citizen Involvement Goal: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Policies See my comment #7.
 I was not allowed to be involved;
 The HIP Subcommittee had unnotified, unpublicized meeting that offered no

2. A Citizen Advisory Committee, appointed by the City Council, shall serve in an advisory capacity to the Florence Planning Commission to assure the broadest input during periodic review and post acknowledgment Plan and zoning amendments. (pg. I-1)

Broad input excluded anyone experiencing homelessness.
 Finding: This policy is met. The City Council in 2022 appointed the Housing Implementation Plan Stakeholder Advisory Team (HIP SAT) to advise on these code updates. The HIP SAT met six times during the development of the proposed amendments.

3. The City Council shall ensure that a cross-section of Florence citizens is involved in the planning process, primarily through their appointments to the Planning Commission, Design Review Board, Citizen Advisory Committee and other special committees. (pg. I-1)

People experiencing homelessness were not included.
 Finding: This policy is met. The City Council appointed a cross-section of Florence citizens to serve on the HIP SAT, including representatives of the social services, Title VI, tribal, banking, development, education, utility provider, health, young adult, and retirement communities.

4. Official City meeting shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment. (pg. I-1)

Finding: This policy is met. The proposed code amendments are consistent with this policy because the notice of the public hearing was noticed in the newspaper prior to public hearings before the Planning Commission and City Council, as required by state law. Notice was published in the Siuslaw News on January 10th and 17th, 2024. The website calendar states when City meetings are scheduled. Materials for Planning Commission and City Council meetings are posted on the website prior to the meeting. The agendas are also posted in City Hall.

Records of all meetings where official action is taken shall be kept at City Hall and made available on request to the public. (pg. I-1)

formal
 Finding: The proposal for these actions is consistent with this policy because minutes of all meetings are kept at City Hall, posted on the City's website, and made available on request to the public.

6. Planning documents and background data shall be available to interested citizens. (pg. I-1)

you should include the list of non-public mayor attended subcommittee for perspective.
 Finding: The proposal for these actions is consistent with this policy because the Resolution, Ordinance, Findings of Fact, staff report and proposed amendments were available prior to the public hearing. The documents were available to view at the Community Development Department or online on the City's website.

The city did not provide underlying data for this. Nothing is supported by data.

The HIP subcommittee meetings in which the mayor participated were not publicized & a meeting for my attend if was never extended

I object and what I thought was missing it was disregard.

Chapter 2: Land Use

Policies

3. The quality of residential, commercial and industrial areas within the City shall be assured through the enforcement of City zoning, design review, applicable conditions of development approval, parking and sign ordinances, and the enforcement of building, fire, plumbing and electrical codes. (pg. II-1)

Finding: The proposal for these actions is consistent with this policy because the proposed code standards:

- Include zoning standards addressing quality of residential development, including application of standards for special housing applicable to districts for which they are permitted
- Include vehicular parking standards in FCC 10-3 and bicycle parking standards for special housing uses.

7. The City shall determine estimated additional usage and the impacts of proposed development upon maximum capability for sewer, water and stormwater systems. This information is to be included in subdivision and design review staff reports. (pg. II-2)

Finding: The proposal for these actions is consistent with this policy because design review applications must address infrastructure in the following criteria:

- Design review criteria in FCC 10-6 for residential development requires public facilities and infrastructure to meet standards set forth in FCC 10-36 Public Facilities.
- Public facility criteria FCC 10-36-4-A and B require new development to address sanitary sewers, water and stormwater systems based on plans approved by the city that are consistent with applicable construction specifications and the Wastewater Master Plan, Water System Master Plan and Stormwater Master Plan, as well as FCC Title 9, Chapters 2, 3 and 5.

Chapter 10, Housing Opportunities

7. Periodically review development code regulations and the zoning map to ensure they encourage a variety of housing types, such as accessory dwelling units, tiny houses, big houses, senior housing, manufactured homes, etc. (pg. X-2)

Finding: The proposal for these actions is consistent with this policy because the proposal includes expanding residential development opportunities to accommodate special needs housing in multiple districts and reducing the size of single-unit detached dwelling lots in the Medium Density District.

From: Brenda Gilmer
To: Kelli Weese
Subject: Public Comment/Testimony, Agenda Item 1, A Request for a zoning change from High Density Residential to Commercial, in conformance with the Florence Realization 2020 Comprehensive Plan Map designation of "Commercial" for Subject Property. (PC 20 04 25)
Date: Monday, May 4, 2020 3:30:50 PM

I am a resident of Florence and wish to testify as follows with respect to various statements made under "OREGON REVISED STATUTES - 197.601(1) , POST-ACKNOWLEDGEMENT PROCEDURES, on pages 12/14 through 14/15 as follows:

In the first paragraph on page 13, it is stated:
"In December of 2017, the City of Florence commissioned a work now entitled, "Housing Needs Analysis and Economic Opportunities Analysis: (Volumes 1 and 1) Technical Report. This report presents a comprehensive analysis of lands within the City as well as the UBG for a variety of land uses including residential, and many of the recommendations directly responded to Oregon's Statewide Planning Goals and Guidelines and were incorporated in the latest Florence Realization 2020 Comprehensive Plan update."

While it is true that the December 2017 HNA did include many recommendations that directly responded to the statewide goals and guidelines, I think it materially misstates the facts to infer that the latest comprehensive plan update incorporated many of them. These are the recommendations from the draft of the HNA and my assessment of why I do not think it is fair to say that many of them were adopted and incorporated in the comprehensive plan:

Housing Goals

1. The Zoning Ordinance shall provide for varying housing types to accommodate development of affordable, decent, safe and sanitary housing opportunities for people at all economic segments of the community. [It does not]
2. The City shall plan for adding 1,664 net new housing units and shall maintain a sufficient supply of buildable land within the Urban Growth Boundary to meet community needs over the next 20 years. [Nothing addresses existing needed housing; most sales are priced beyond the income of most non-wealthy residents; most development is for the high-end market].
3. City codes and standards shall be enforced for the purpose of maintaining and upgrading the housing supply. [Codes are enforced discriminatorily to harass unhoused individuals].
4. The City shall encourage the rehabilitation of substandard housing as a method to meet the high costs of housing and to conserve the housing stock. [It did and is occurring, but to conserve housing stock that is unaffordable to most residents and is sold to new, affluent residents].
5. The City shall recognize workforce housing, mobile homes, manufactured housing and

Resolution PC 23 32 TAG does not either
the situation of discrimination continue

multifamily dwellings as an important part of the overall housing stock, if well situated. [The City's housing

emphasis is high-end housing for new comers, not residents in need of housing affordable to them].

The City has taken or attempted to take suitable multifamily property out of the market e.g. the land across from FCC and the ball-field property in Old Town now owned by Homes for Good the

1. Support a variety of residential types and new concepts that will encourage housing opportunities

to meet the housing needs for households of varying incomes, ages, size, taste and lifestyle. [This objective is unmet. The City's emphasis

is new, affluent residents]. *This proposal does nothing to encourage construction through enforcement of the*

2. Maintain a high standard of housing construction through enforcement of the Building Code.

3. Maintain a livable environment by placing open space requirements in residential PUDs.

4. Periodically review development code regulations and the zoning map to ensure they encourage a

variety of housing types, such as accessory dwelling units, tiny houses, big houses, senior

housing, manufactured homes, etc. [Because this is not encouraged, but rather discouraged, a review

if it occurred, would be more perfunctory words on pieces of paper].

5. Periodically update the City's Housing Needs Analysis (HNA) to ensure that there is a sufficient

supply of land to accommodate 20-years of planned housing needs for the community. [The housing needed now by residents

desperate for affordable housing is never quantified or discussed].

6. Apply plan designations, zoning districts and regulations to implement the mix of housing indicated in the adopted Housing Needs Analysis. [This was not done].

Housing Policies

1. The City shall enforce a fair housing ordinance that forbids discrimination in the rental, sale or

financing of housing based on race, sex, color, religion, national origin, age, or marital status. [A fair housing ordinance was not adopted

and the city itself in its adopted ordinances and enforcement of ordinances discriminates overtly and by creating barriers to housing access that

disproportionately burden protected classes].

2. Housing programs to meet the needs of the City's workforce, elderly and special needs families

shall be pursued [There is no evidence of this pursuit and certainly no limits on short-term rentals

were adopted that prevent the use of ADUs as more lucrative short-term rentals].

3. Annex where necessary and zone an adequate supply of residential land to accommodate the

city's housing needs.

HUD administrative Agency

it just no longer so actively discourages them

This proposal does not encourage that variety safe + local shelter for those experiencing homelessness. It is not enough with this amendment

Housing needs of the 500+ individuals experiencing homelessness is not at all assured

This is just ignored and won't change until we officially pass it and new laws kick in

The City said no then found out an ordinance has been adopted several years ago, just not published + included in the code. On the other hand, a repeal of a prohibition on missions had been repealed but that repeal not reflected in code

needs of city's workforce, elderly or special needs families and conditional US

4. Develop and nurture local and regional affiliations and alliances to provide affordable housing. *Not done.*
5. Coordinate with county, state and housing developers to identify, obtain and leverage funding

sources for the development of workforce housing, affordable housing and special needs housing. [There is no evidence of this coordination]. *COVID money was available for housing and*

6. Work with local non-profit organizations, other jurisdictions and health and social service *No public health involvement, no coordination with FEMA for good* organizations to develop a coordinated, regional approach to homelessness. *many units could have been built*

[There is no evidence of this happening that has included any participation by the homeless individuals whose needs are totally unmet and, in fact, the Florence mayor actively seeks their removal]. *Apathy and hostility to supported housing marked at least 5 of the last year since this decision was made*

the new mayor does not speak that way, but when push came to shove the city turned away the Florence Emergency cold shelter proposal and blamed the governor

Housing Recommendations
Housing Supply/Diversity

1. Unsafe or unhealthy housing conditions should be eliminated.
2. The City should encourage innovative design techniques (such as clustering, townhouses or condominiums) in appropriate areas, as a method to preserve open space, to lower the costs of housing and public facilities, and to maintain vegetative cover. [Clustered housing is addressed; nothing but single-family residences and single-family occupancy is permitted outright; all else is a conditional use if it exists anywhere are something other than a defined term].

3. Support periodic UGB expansions within 1 mile of existing city limits to accommodate housing needs and to ensure that cost economies are realized for the city and property owners.

Infrastructure and Development

4. Provide a design and development assistance program (DDAP) to help property owners evaluate redevelopment potential. [Not formally done].

5. Reestablish the downtown preservation and rehabilitation program which will incentivize façade improvements. [FURA was already doing this].

6. Develop an accessory dwelling unit (ADU) Program which will clarify ADU policies in Florence and **allow for increased housing opportunities in and near Old Town.** [No limit on ADU short-term rental; increased housing in and near Old Town not allowed]

7. Conduct a developer/property owner recruitment and outreach campaign to encourage new and innovative developments in Florence [How, if at all, this is being done, is not reported].

8. Conduct an audit of the development code in Florence to **identify and address**

SOS - unfriendly to homeless

They are dire and unhealthy and unsafe for even more people experiencing homelessness

barriers to

workforce housing development. [This was not done or, if done, not publicized].

9. Outside established neighborhoods, set parking requirements and building setbacks to the minimum standards that will meet the community's needs in order to **reduce land utilized for**

parking, reduce the cost of housing development, and encourage walking, transit use and a

compact development pattern. [The glut of oversized low-density lots in the City was retained, and, I believe,

expanded; with more low-density subdivisions being approved or built in 2019, 2019 and to date in 2020. Density was

theoretically reduced by minimum lot requirements; nothing benefits residents of moderate- or low-income means].

10. Prioritize capital improvement projects that **support development of affordable homes and neighborhoods.** [If it is occurring, it is not publicized; all Florence Urban Development

programs are designed to aid business; no affordable housing issues or projects are on its agenda].

11. Participate in public/private development projects, in association with the Florence Urban

Renewal Plan. [While this is just about the only way affordable income projects of any size sufficient to meet

the community's could be accomplished, FURA has less than no focus on any housing issues].

12. Encourage **development of a tiny home artist/maker village** with shared common areas and

sustainable energy elements. [Not pursued].

Housing Attainability

13. Explore local and regional funding options to **support development of housing for low- and**

moderate-income households. [If done, unpublicized or discussed in a public forum].

14. Pursue state and federal **grants to design and finance affordable housing.** [If done, unpublicized or discussed in a public forum].

15. Pursue partnerships with Lane Community College to **develop student housing.** [If done, unpublicized or discussed in a public forum] .

16. Set fees and system development charges (**SDCs**) on new construction of affordable housing as

low as possible while ensuring necessary infrastructure to make neighborhoods cost-effective

places to live and good investments for homeowners. [SDCs were temporarily lowered for smaller single family homes and waived for ADUs]

17. Offer expedited review and permitting for residential or mixed-use projects that meet certain

criteria (e.g., **receive local, state or federal affordable housing funding** for development of

workforce housing). [Not done].

18. Offer a **10 or 20-year property tax exemption to low-income rental housing projects** that meet

certain criteria (e.g., receive local, state or federal affordable housing funding and are outside the tsunami inundation zone). [Not done].

done now, thanks to Layne Morrill

19. Involve major employers in efforts to develop and support **housing affordable to their workforce**. [if done, unpublicized or discussed in a public forum].

20. Provide density bonuses and/or reduced parking requirements for **affordable housing**

developments [Not done].

21. Establish an **Affordable Housing Advisory Committee** to establish and oversee an affordable

housing program that identifies specific actions to increase the supply of housing that is

affordable to low- to middle income individuals and families. [Not done].

22. Utilize **affordable housing funds to provide incentives to developers of income-restricted**

dwelling units. [City has no affordable housing funds]. *Still*

23. **Establish an affordable housing funding mechanism**, such as a housing levy or construction

excise tax on new building permits (based on valuation). [Not done]. *Still*

24. **Locate affordable housing throughout the city** and especially in areas with good access to transit,

employment, education and shopping. [No affordable housing, so inapplicable].

25. Consider **pre-approving ADU and other housing designs** to accelerate their development process

and lower housing costs. [Not done, but I hear no complaints about ADU approval issues; anything outside

of ADU's just not done].

26. Periodically examine and revise the municipal code to **reduce barriers to new affordable housing**

development [No barriers were identified or addressed; affordable housing is a term used to imply nonexistent

compliance with any duty to address].

27. Utilize various mechanisms to **ensure the continued affordability of affordable housing** the City

has built, required or incentivized. [Nothing has been done to address the steeply increasing prices or

increased evictions].

Special Needs Housing 28. Encourage housing options for special needs populations, including independent

living for

seniors, assisted living, memory care, drug and alcohol rehab and mental health facilities. [The waiting lists are still

very long; if the City has done anything, it has not been publicly discussed].

29. **Integrate housing for people with special needs into neighborhoods** throughout the city, avoid

→ unwanted one to be unseen.

Maybe worse now

*what was set up
CDE was
adverse
HIP
Subcommittee
ineffective*

*No assessment
of public case
for the
who used*

*Window dressing, maybe but a
millioner's now getting the time +*

*infrastructure
(Rhoades Dr.)*

*The situation has only worsened
City requiring cost of permanent improvements*

*(sewer
water)*

We are now there with special temporary needs

concentrations. [If new stock is not built, this doesn't apply].

30. Encourage the **development of senior-friendly housing opportunities**, particularly in areas near services and amenities. [The needed senior-friendly housing opportunities I am aware of a need for is a place for elderly women who have lost their existing housing and are now living in their cars to park;

that is not allowed in Florence except for parking on a public street by virtue of the 9th Circuit Boise Housing decision. — *and here we are with definitions*

31. **Promote the provision of support services**, including transportation options, to allow seniors and those with special needs to remain in their own homes or non-institutional settings.

[Transportation opportunities have increased with bus service to Yachats and Eugene]. *Definite improvement! Thank you!*

32. **Support public and private housing and services for people who are homeless**. [If any of this was done, it has never been publicly discussed or publicized]. *First talks w/ Homes for Good + NW Housing*

33. Review municipal code to ensure compliance with the Affirmatively *Alternative 2024 long*

Furthering Fair Housing rule. [Addressed above; there is no compliance, or options for compliance, with this that have ever been publicly discussed].

Short-term Rentals

34. Establish a cap on the number of **short-term vacation rental properties** available in residential zones. [Not done]. *Not done*

35. Prepare clear and objective city policy that **defines and limits short-term rentals**. [Not done; short term rentals are apparently the most lucrative use of ADUs]. *Not done*

too narrow to address actual needs and likely time period for human emergency to end

I would appreciate any clarification with respect to any of these items. I do not wish to misrepresent the city or the actions it has or has not taken.

Brenda Gilmer
3640 Ocean View Dr.

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 3

Meeting Date: February 5, 2024
Department: City Manager's Office

ITEM TITLE: Florence Senior and Activity Center Expansion inclusion in the Lane County Application to the EPA's Community Change Grant Program

DISCUSSION/ISSUE:

The City of Florence works frequently with Lane County to identify potential funding opportunities to accomplish local and regional projects. Since late 2023, City staff have been coordinating with Lane County Public Health and Policy staff on a new grant opportunity that will open in March. Lane County is preparing to submit a countywide application for the Environmental Protection Agency's (EPA) Community Change Grant Program. For this grant, Lane County will partner with a community-based organization to apply for an EPA grant to create resilience hubs throughout Lane County.

According to the Urban Directors Sustainability Network, Resilience Hubs are community-serving facilities augmented to support residents, coordinate communication, distribute resources, and reduce carbon pollution, while enhancing quality of life. Resilience Hubs can meet a myriad of physical and social goals by utilizing a trusted physical space such as a community center, recreation facility, or multi-family housing building, as well as the surrounding infrastructure such as a vacant lot, community park, or local business.

The EPA's Community Change Grant Program grant application process is open now, with the first review of application in March. Lane County will apply for \$20 million, and funds must be spent within three years. Although applications are accepted on a rolling basis until November 2024, Lane County intends to submit an application before March 1st. This timeline is due to the EPA reviewing the first batch of application in March. With this grant program, an applicant does have the opportunity to resubmit based on the reviewer feedback if the initial application is unsuccessful.

Lane County's strategy for these grants is as follows:

- Fund retrofits to improve resilience of publicly owned buildings (4-6 across Lane County);
- Support and collaborate with a local community-based organization to bolster emergency preparedness through education, supplies, programming, and otherwise working to build the resilience of the communities they serve; and
- Community engagement and collaborative planning.

Lane County has been working with several communities on potential projects and the facilities selected for inclusion in the grant application will be determined, in part, on their "shovel-

readiness,” the magnitude and cost of needed retrofits to provide services during an emergency, such as cleaner air (e.g., smoke-grade HVAC system, weatherization, air purifiers), electricity (e.g., generator, microgrid), water & food, shelter, etc.

The Resiliency Hub Planning Team at the County is currently: Kristen Lee who is the Senior Program Services Coordinator in County Administration and heading up the efforts on this grant, Brendan Irsfeld (Planner in LC Emergency Management), Teresa Roark (LC Public Health – Enviro Health/Enviro Justice), Jo Rodgers (LC Public Health), and Sarah Swofford (LC Public Health – Public Health Reserve Corps).

Ideally, Resilience Hubs would be developed from the ground up, with significant input and involvement of the local community. Since the EPA Community Change Grant is available now, and another potential source of funds will be available from the State of Oregon for resilience hubs soon, Lane County will apply for funding with a community-based organization partner now and Lane County and their partner intend on holding a more robust community process once funds are secured.

City staff have worked with Lane County staff to identify several potential projects and have narrowed the desired project for this grant to the expansion of the Florence Senior and Activity Center (Senior Center). The Senior Center is well suited to serve our community as a Resilience Hub. As the name suggests, the Senior Center provides many resources and opportunities for social connection to elders in our community, but in our community, it is also a resource for all. The recent name change to Senior and Activity Center creates a more inviting space for people of all ages promoting dignity, nutrition, health and wellness, security and independence, recreation and social services, through the provision of education and information. The building provides a home for many important services and space for community building activities such as family and community celebrations.

The building is owned by the City, and managed by the Senior Center Boosters, a Community Based Organization. The Senior Center was completed in in 2010 and meets modern energy efficiency standards and has adequate heating and cooling systems. However, the current size does not meet community need. The Senior Center Boosters have already worked with the City to complete some initial planning steps and worked with an architect on their plans for building expansion. This process began in 2015 and kicked off their fundraising campaign for the expansion.

The existing expansion plans for the facility include an additional 1,800 square feet of space to the expand the building to the west. Amenities added would include a large 32x21 foot cardroom and shifting the pool room to the west. With the shift of the existing pool room, two additional

single-occupancy ADA restrooms would be constructed, along with the addition of a conference room, an office, and two storage closets.

As staff have reviewed the previous plans for building expansion, opportunities for the Resilience Hub, and other items that have become desires for the site since the initial plans, there are a few items that would be included in updated expansion plans. In addition to the space remodel, this project would propose to retrofit the facility for an emergency generator, install the generator, update the HVAC system for smoke grade air filtration, expand the parking lot to the east to accommodate the increased facility size and include additional parking lot lighting, add electric vehicle charging stations, and install solar panels for additional facility power resiliency.

As a coastal community in the Cascadia Subduction Zone, the City recognizes that our area is particularly vulnerable to a multitude of environmental threats that could leave the community cut off from supply chains and regional metropolitan areas. In addition, Florence has not traditionally experienced high heat and many residences and businesses do not have adequate cooling systems. Most homes also lack any type of air filtration system since they rely on electric baseboard heat as Florence has never had natural gas as a widespread utility, making community members highly vulnerable to health impacts from wildfire smoke. Over the past few years, Florence has experienced the impacts of wildfires both near and far causing smoke to settle just off shore and over Florence. During these events, the community would benefit from additional climate controlled and cleaner air spaces, especially with the senior and vulnerable populations that may be more impacted by heavy smoke. In addition, preparing for major and likely long-term disruptions is a community priority. Working as a collaborative entity on this project is an opportunity to address immediate climate related needs, prepare our community for ongoing resilience, and contribute to a strong network that increases resilience across our broader community.

As we look to the growing needs and desires of our community for gathering spaces, meeting community needs as a Resilience Hub will further exacerbate the already inadequate space. Investing in expanding the Senior Center to better serve as a Resilience Hub is also an opportunity to build the resilience of the space by incorporating the addition of solar panels, backup power systems such as solar, expanding the City's use of solar and wind powered exterior lighting, and electric vehicle charging stations. All of these items will further increase resilience, reduce pollution generated by the building, and act as a model for our community. These items will also allow for the facility to be used in a variety of emergencies, beyond smoke, heat, and cold events.

The opportunities presented by developing the Senior Center as a Resilience Hub will advance the goals of the City and staff are confident that this work could begin work immediately upon

receiving an award to ensure project completion by the end of the funding period. It is an exciting opportunity for the Senior Center to continue serving the community as a Resilience Hub after the initial EPA Community Change Grant funding period has ended. The City has worked with Lane County on similar regional collaborative projects. This project would be similar in creating a method of operation to implement the goals of the Resiliency Hubs throughout Lane County.

In preparation for this grant application, City staff have reached out to HGE Architects as the firm that created the preliminary designs for the expansion for the Senior Center Boosters. They are also the firm that designed the facility for the City through the Community Development Block Grant. Staff have provided information on the project and the additions, since the previous estimates were only for the building expansion and from 2015.

The architect is working on basic estimates for inclusion in the grant application. That estimate would include building expansion construction costs, parking lot expansion, charging stations, emergency generator, solar panels, contingency, engineering/design work, construction management, and some for furnishings. In addition, the City can include project management costs in the grant request. The Senior Center Boosters have also raised approximately \$25,000 for the project.

FISCAL IMPACT:

As mentioned above, a current project estimate is being developed by the architect. Staff will present more detailed information on the projected costs at the City Council meeting.

Since the Senior Center expansion was not included in the City's budget, if the Lane County application is successful and the project is funded, staff would prepare a supplemental budget for consideration to accept the funds through an agreement with Lane County and to expend the funds for the project.

If the project is funded, City Council will review the award for consideration of acceptance prior to a supplemental budget. In addition, this award will require a contract with Lane County for financial coordination, as well as long-term coordination for the Resiliency Hub.

For general operation of the Senior Center, the Senior Center Boosters fund their management of the facility. The City is responsible for the large maintenance items at the facility, generally items that would be considered building infrastructure or large systems at the facility (HVAC, etc.). This arrangement would be anticipated to continue, with the exception for items that may need to be updated based on the requirements as a Resiliency Center.

RELEVANCE TO ADOPTED CITY WORK PLAN:

The grant application is related to the following overarching City Goals:

- City Service Delivery – improving the delivery of cost effective and efficient services by leveraging grant proceeds.
- Livability & Quality of Life – being responsive to our community's needs with safe, efficient, effective and sustainable service delivery.

- Communication & Trust – strengthening citizen trust by cooperatively working with Lane County to enhance the safe spaces in the community for emergency response.
- Financial & Organizational Sustainability – leveraging grant proceeds to complete a long-awaited capital project for the City.

ALTERNATIVES:

1. Participate in the Lane County application to the EPA Community Change Grant Program with the Senior Center expansion project.
2. Do not authorize staff to submit project for inclusion in the grant application.

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 2, Series 2024, a resolution establishing approval to participate in the Lane County grant application for the EPA’s Community Change Grant Program to include the Senior Center expansion project and delegating authority to the City Manager or designee to submit the project to Lane County for inclusion in the countywide grant application.

AIS PREPARED BY: Megan Messmer, Assistant City Manager

CITY MANAGER’S RECOMMENDATION:

Approve Disapprove Other
Comments: *ER Reynolds*

ITEM’S ATTACHED: Attachment 1 – Resolution No. 2, Series 2024

CITY OF FLORENCE RESOLUTION NO. 2, SERIES 2024

A RESOLUTION ESTABLISHING APPROVAL TO PARTICIPATE IN THE LANE COUNTY GRANT APPLICATION FOR THE EPA'S COMMUNITY CHANGE GRANT PROGRAM TO INCLUDE THE SENIOR CENTER EXPANSION PROJECT AND DELEGATING AUTHORITY TO THE CITY MANAGER OR DESIGNEE TO SUBMIT THE PROJECT TO LANE COUNTY FOR INCLUSION IN THE COUNTYWIDE GRANT APPLICATION

RECITALS:

1. The Environmental Protection Agency (EPA) is accepting grant applications for the Community Change Grant Program.
2. Lane County will partner with a community-based organization to apply for the EPA grant to create resilience hubs throughout Lane County.
3. Resilience Hubs are community-serving facilities augmented to support residents, coordinate communication, distribute resources, and reduce carbon pollution while enhancing quality of life. Resilience Hubs can meet a myriad of physical and social goals by utilizing a trusted physical space such as a community center, recreation facility, or multi-family housing building as well as the surrounding infrastructure such as a vacant lot, community park, or local business.
4. Lane County's strategy for this grant application is to focus on: funding retrofits to improve resilience of publicly owned buildings (4-6 across Lane County); supporting and collaborate with a local community-based organization to bolster emergency preparedness through education, supplies, programming and otherwise working to build the resilience of the communities they serve; and community engagement and collaborative planning.
5. Lane County has identified capital projects in several communities based on their "shovel-readiness," and the magnitude/cost of needed retrofits to provide services during an emergency such as cleaner air (e.g., smoke-grade HVAC system, weatherization, air purifiers), power availability (e.g., generator, microgrid), water availability and food storage, and sheltering space.
6. The Florence Senior and Activity Center facility is owned by the City of Florence and operated through a management agreement by the Florence Senior Center Boosters.
7. The Florence Senior and Activity Center Board (Senior Center Boosters) has been fundraising for a future expansion of the facility since 2015 that would expand the existing facility by 1,800 square feet.
8. The Florence Senior and Activity Center facility has been identified by local emergency management personnel as a location for use during an emergency, for either members of the public or emergency management personnel depending on the incident need.
9. Lane County has identified the need for a Florence area location for smoke, heat, and/or cold weather events to provide respite shelter during these events. The Florence Senior and Activity Center could provide for that need with the facility expansion.
10. The existing expansion plans for the facility include adding 1,800 square feet of space to the extend the building to the west. The expansion would include additional multipurpose space, two single-occupancy restrooms, an office, a conference room, and storage closets.

11. If funded, the expansion plans would be modified to also include parking lot expansion with solar and/or wind powered lighting, emergency generator, solar panels, HVAC upgrades for smoke filtration, and electric vehicle charging stations.
12. This capital project is dependent on the City of Florence desires to participate in this grant program to the greatest extent possible as a means of enhancing the resiliency of the Florence area through partnerships with Lane County.
13. If successful, Lane County will contract with the City of Florence to disperse the funds to the City and execute the capital project final engineering and construction following the guidelines and timelines of the grant.
14. Should the grant be awarded, a supplemental budget would be required to both receive the grant funding from Lane County and expend the funds on the project.
15. The City of Florence will provide adequate funding for on-going maintenance of the facilities should the grant funds be awarded.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE RESOLVES AS FOLLOWS:

1. The City Council demonstrates its support for the City's participation in the Lane County submittal of a grant application to the Environmental Protection Agency for the Community Change Grant Program to engineer and construct the expansion of the Florence Senior and Activity Center.
2. This Resolution takes effect immediately upon adoption.

ADOPTION:

This Resolution is passed and adopted on the 5th day of February, 2024.

Attest:

Rob Ward, Mayor

Lindsey White, City Recorder

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 4
Meeting Date: February 5, 2024
Department: Finance

ITEM TITLE: The Bridgewater Restaurant Change of Location Liquor License

DISCUSSION/ISSUE:

This is a request for a recommendation of a change of location liquor license to the Oregon Liquor Control Commission (OLCC) for The Bridgewater Restaurant doing business as The Bridgewater Fish House. The business is moving from 1297 Bay Street to 1341 Bay Street. OLCC allows the City Council the opportunity to review the liquor license before making a recommendation of approval.

The current owners/management of the business have been checked and approved by the Florence Police Department for noise and/or altercations. The Planning Department has checked the place of business for zoning or code violations. Both departments have signed recommending approval.

FISCAL IMPACT:

The fee for a change of ownership liquor license is \$93. This fee includes the cost of staff time to review the application and place a recommendation before the City Council.

RELEVANCE TO ADOPTED COUNCIL GOALS:

Goal 1: Deliver efficient and cost-effective city services.

ALTERNATIVES:

1. Recommend ratification for the liquor license approval
 2. Recommend denial to OLCC for the liquor license
 3. Request staff research further and bring back additional information to a future Council meeting
-

RECOMMENDATION:

Recommend ratification for the liquor license approval

AIS PREPARED BY: Lezlea Purcell, Finance Manager

CITY MANAGER'S RECOMMENDATION: Approve Disapprove Other

Comments:

ER Reynolds

ITEM'S ATTACHED: Attachment 1 – Liquor License Application



OREGON LIQUOR & CANNABIS COMMISSION
LIQUOR LICENSE APPLICATION

Attachment 1

Instructions

1. **Complete and sign** this application.
2. Prior to submitting this application to the OLCC, send the completed application to **the local government for the premises address** to obtain a recommendation.
 - If the premises street address is within a city’s limits, the local government is the city.
 - If the premises street address is not within a city’s limits, the local government is the county.
3. You can submit the application to the OLCC if:
 1. You have WRITTEN documentation showing the date the local government received the application or;
 2. The local government has provided you their recommendation.

ALL forms and documents must be a PDF attachment

4. **Email the PDF application that contains the local government recommendation or proof of submission** to: OLCC.LiquorLicenseApplication@oregon.gov.
5. **Do not** include any license fees with your application packet (fees will be collected at a later time). *When it’s time to pay the license fee you must pay the full yearly fee for the current license year (the license fee will not be prorated). If you pay in the last quarter of your license year you must also pay the yearly fee for the next license year.*

License Request Options - Please see the general definitions of the license request options below:

- **New Outlet:** The licensing of a business that does not currently hold an active liquor license.
- **Change of Ownership:** The request to completely change the licensee of record at a licensed business.
- **Greater Privilege:** The request to change from an Off-Premises to a Limited or Full On-Premises Sales license **OR** from a Limited to Full On-Premises Sales license.
- **Additional Privilege:** The licensee currently holds an active liquor license at the premises and that same licensee would like to request to add an **additional** different liquor license type at that same premises location.

Additional Information

Applicant Identification: Please review [OAR 845-006-0301](#) for the definitions of “applicant” and “licensee” and [OAR 845-005-0311](#) to confirm that all individuals or entities with an ownership interest (other than a waivable ownership interest, per [OAR 845-005-0311\[6\]](#)) in the business have been identified as license applicants on this document. If you have a question about whether an individual or entity needs to be listed as an applicant for the license, discuss this with the OLCC staff person assigned to your application.

Premises Address: This is the physical location of the business and where the liquor license will be posted.

Applicant Signature(s): Each individual listed in the applicant information box on page 2 (entity or individuals applying for the license) must sign the application.

If an applicant listed in the applicant information box on page 2 is an entity (such as a corporation or limited liability company), at least one member or officer of the entity must sign the application.

Applicant/Licensee Representative(s): In order to make changes to a license or application or to receive information about a license or application by someone other than the applicant/licensee you must:

- **Complete the Authorized Representative** and submit with the application.

LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

^{Modify} New Outlet | Change of Ownership | Greater Privilege | Additional Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: (Use the DISTT form [HERE](#))

Limited On-Premises

- Off Premises
- Warehouse
- Wholesale Malt Beverage and Wine

LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT

After providing your recommendation, return this form to the applicant **WITH** the recommendation marked below

Name of City OR County (not both)

Please make sure the name of the Local Government is printed legibly or stamped below

Date application received:

Optional: Date Stamp Received Below



- Recommend this license be granted
- Recommend this license be denied
- No Recommendation/Neutral

Printed Name

Date

Signature

Trade Name

LIQUOR LICENSE APPLICATION

Page 2 of 4

APPLICANT INFORMATION	
Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.	
Name of entity or individual applicant #1: <i>The Bridgewater Restaurant etc.</i>	Name of entity or individual applicant #2:
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION		
Trade Name of the Business (name customers will see): <i>The Bridgewater Fishhouse</i>		
Premises street address (The physical location of the business and where the liquor license will be posted): <i>1341 Bay Street</i>		
City: <i>Florence</i>	Zip Code: <i>97439</i>	County: <i>Lane</i>
Business phone number: <i>511 997 1133</i>	Business email: <i>Info@midgewaterfishhouse.com</i>	
Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1]): [REDACTED]		
City: <i>Florence</i>	State: <i>OR</i>	Zip Code: <i>97439</i>
Does the business address currently have an OLCC liquor license? <input checked="" type="radio"/> Yes No	Does the business address currently have an OLCC marijuana license? Yes <input checked="" type="radio"/> No	

APPLICATION CONTACT INFORMATION – Provide the point of contact for this application. If this individual is <u>not</u> an applicant or licensee, the Authorized Representative Form must be completed and submitted with this application.	
Application Contact Name: <i>Elizabeth Stenke</i>	
Phone number: <i>511 997 1133</i>	Email: <i>info@midgewaterfishhouse</i>

LIQUOR LICENSE APPLICATION

Page 3 of 4

TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands [OAR 845-005-0311](#) and attests that:
 1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
 2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under [OAR 845-005-0311](#).
 3. The licensed premises at the premises street address proposed to be licensed either:
 - a. Does not include any common areas; or
 - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
 - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
 4. The licensed premises at the premises street address either:
 - a. Has no area on property controlled by a public entity (like a city, county, or state); or
 - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.



OREGON LIQUOR & CANNABIS COMMISSION

FULL ON-PREMISES SALES Primary License Privileges

Introduction

Oregon Revised Statute (ORS) 471.175 authorizes the full on-premises sales license and its license privileges. The statute establishes six different types of full on-premises sales licenses.

License Type: Full On-Premises Sales, Commercial (F-COM)

- The OLCC license fee is \$800 per year.
- On-premises. May sell and serve *by the drink* at retail to consumers for consumption ***on*** your licensed premises:
 - * Distilled spirits, malt beverages (beer), wine, and cider.
- Off-Premises: May sell at retail to consumers for consumption ***off*** your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers for take-out and delivery. There is no minimum or maximum container size or volume limit for *take-out*; however, to deliver must follow OAR 845-006-0392 and 845-006-0396.
 - * Malt beverages, wine, and cider in a securely covered container (growler) for take-out and delivery. There is no *minimum* container size limit; however, the *maximum* size of the container is two gallons. To deliver, must follow OAR 845-006-0392 and 845-006-0396.
 - * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption ***off*** your licensed premises. Must follow OAR 845-006-0399.
- Deliver: May deliver direct to consumer for consumption ***off*** your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers. Must follow OAR 845-006-0392 and 845-006-0396.
 - * Malt beverages, wine, and cider in a securely covered container (growler). There is no *minimum* container size limit; however, the *maximum* size of the container is two gallons. Must follow OAR 845-006-0392 and 845-006-0396.
 - * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption ***off*** your licensed premises. Must follow OAR 845-006-0399.
- Food service: See OAR 845-006-0459 and 845-006-0460.
 - * A business not open after 5:00 pm must have a regular meal period of at least 2 hours.
 - * A business open after 5:00 pm must have a regular meal period of at least 3 hours after 5:00 pm.
 - * All businesses must offer at least 5 different meals during the regular meal period.
 - * All businesses must, at all times other than the regular meal period, offer at least 5 different substantial food items in all areas where alcohol service is available.
 - * "Meal" means a substantial food item offered together with at least one side dish or a substantial food item with two or more side dishes available to order separately.
 - * "Substantial food item" means food items prepared or cooked on the licensed premises and that are typically served as a main course or entrée. Some examples are: fish; steak; chicken; pasta; pizza; sandwiches; dinner salads; hot dogs; soup; and sausages. Side dishes, appetizer items, dessert items, and snack items such as popcorn, peanuts, chips, and crackers do not qualify as substantial food items.
 - * "Side dishes" include vegetables, fruit, salad, rice, French fries, and bread.
 - * "Different" means substantial food items that the OLCC determines differ in their primary ingredients or method of preparation. Different sizes of the same item are not considered different.
 - * Must have a food preparation area and equipment on the licensed premises adequate to meet the food service requirements.
 - * Must have a minimum of 30 dining seats during required meal periods unless the OLCC determines the clearly dominant emphasis of the premises is food service at all times and in all areas where alcohol service is available when open to the public.



OREGON LIQUOR & CANNABIS COMMISSION

FULL ON-PREMISES SALES Primary License Privileges

- Eligible to apply to get pre-approved to cater some events off of the annually licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity) as described in ORS 471.184(1).
- Eligible to apply for a “special event” license: Temporary Use of an Annual License (TUAL) to sell and serve alcoholic beverages at a special event off of the annually licensed premises as described in ORS 471.184(2).
- Link to license application page: [full on-premises sales, commercial application page](#)

License Type: Full On-Premises Sales, Caterer (F-CAT)

- The OLCC license fee is \$800 per year.
- May not allow the consumption of alcoholic beverages on the annually licensed premises.
- Eligible to apply to get pre-approved to cater some events off of the annually licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity) as described in ORS 471.184(1).
- Eligible to apply for a “special event” license: Temporary Use of an Annual License (TUAL) to sell and serve alcoholic beverages at a special event off of the annually licensed premises as described in ORS 471.184(2).
- **Off-Premises:** May sell at retail to consumers for consumption off your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers for take-out and delivery. There is no minimum or maximum container size or volume limit for take-out; however, to deliver must follow OAR 845-006-0392 and 845-006-0396.
 - * Malt beverages, wine, and cider in a securely covered container (growler) for take-out and delivery. There is no minimum container size limit; however, the maximum size of the container is two gallons. To deliver, must follow OAR 845-006-0392 and 845-006-0396.
 - * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption off your licensed premises. Must follow OAR 845-006-0399.
- **Deliver:** May deliver direct to consumer for consumption off your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers. Must follow OAR 845-006-0392 and 845-006-0396.
 - * Malt beverages, wine, and cider in a securely covered container (growler). There is no minimum container size limit; however, the maximum size of the container is two gallons. Must follow OAR 845-006-0392 and 845-006-0396.
 - * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption off your licensed premises. Must follow OAR 845-006-0399.
- Link to license application page: [full on premises sales, caterer application page](#)

License Type: Full On-Premises Sales, For-Profit Private Club (F-FPC)

- The OLCC license fee is \$800 per year.
- **On-premises.** May sell and serve by the drink at retail to consumers, but only to members and guests, for consumption on your licensed premises:
 - * Distilled spirits, malt beverages (beer), wine, and cider.
- **Off-Premises:** May sell at retail to consumers, but only to members and guests, for consumption off your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers for take-out and delivery. There is no minimum or maximum container size or volume limit for take-out; however, to deliver must follow OAR 845-006-0392 and 845-006-0396.
 - * Malt beverages, wine, and cider in a securely covered container (growler) for take-out and delivery. There is no minimum container size limit; however, the maximum size of the container is two gallons. To deliver, must follow OAR 845-006-0392 and 845-006-0396.



OREGON LIQUOR & CANNABIS COMMISSION

FULL ON-PREMISES SALES Primary License Privileges

- * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption **off** your licensed premises. Must follow OAR 845-006-0399.
- **Deliver:** May deliver direct to consumer, but only to members and guests, for consumption **off** your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers. Must follow OAR 845-006-0392 and 845-006-0396.
 - * Malt beverages, wine, and cider in a securely covered container (growler). There is no *minimum* container size limit; however, the *maximum* size of the container is two gallons. Must follow OAR 845-006-0392 and 845-006-0396.
 - * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption **off** your licensed premises. Must follow OAR 845-006-0399.
- Food service: See OAR 845-006-0459 and 845-006-0460.
 - * A business not open after 5:00 pm must have a regular meal period of at least 2 hours.
 - * A business open after 5:00 pm must have a regular meal period of at least 3 hours after 5:00 pm.
 - * All businesses must offer at least 5 different meals during the regular meal period.
 - * All businesses must, at all times other than the regular meal period, offer at least 5 different substantial food items in all areas where alcohol service is available.
 - * "Meal" means a substantial food item offered together with at least one side dish or a substantial food item with two or more side dishes available to order separately.
 - * "Substantial food item" means food items prepared or cooked on the licensed premises and that are typically served as a main course or entrée. Some examples are: fish; steak; chicken; pasta; pizza; sandwiches; dinner salads; hot dogs; soup; and sausages. Side dishes, appetizer items, dessert items, and snack items such as popcorn, peanuts, chips, and crackers do not qualify as substantial food items.
 - * "Side dishes" include vegetables, fruit, salad, rice, French fries, and bread.
 - * "Different" means substantial food items that the OLCC determines differ in their primary ingredients or method of preparation. Different sizes of the same item are not considered different.
 - * Must have a food preparation area and equipment on the licensed premises adequate to meet the food service requirements.
 - * Must have a minimum of 30 dining seats during required meal periods unless the OLCC determines the clearly dominant emphasis of the premises is food service at all times and in all areas where alcohol service is available when open to the public.
- Must have a minimum of 100 members.
- Eligible to apply to get pre-approved to cater some events, but only to members and guests, **off of the annually licensed premises** (events that are small, usually closed to the general public, and where food service is the primary activity) as described in ORS 471.184(1).
- Eligible to apply for a "special event" license: Temporary Use of an Annual License (TUAL) to sell and serve alcoholic beverages at a special event, but only to members and guests, **off of the annually licensed premises** as described in ORS 471.184(2).
- Link to license application page: [full on-premises sales, for-profit private club application page](#)

License Type: Full On-Premises Sales, Nonprofit Private Club (F-CLU)

- The OLCC license fee is \$400 per year.
- **On-premises.** May sell and serve **by the drink** at retail to consumers, but only to members and guests, for consumption **on** your licensed premises:
 - * Distilled spirits, malt beverages (beer), wine, and cider.
- **Off-Premises:** May sell at retail to consumers, but only to members and guests, for consumption **off** your licensed premises:



OREGON LIQUOR & CANNABIS COMMISSION

FULL ON-PREMISES SALES Primary License Privileges

- * Malt beverages, wine, and cider in factory-sealed containers for take-out and delivery. There is no minimum or maximum container size or volume limit for take-out; however, to deliver must follow OAR 845-006-0392 and 845-006-0396.
- * Malt beverages, wine, and cider in a securely covered container (growler) for take-out and delivery. There is no minimum container size limit; however, the maximum size of the container is two gallons. To deliver, must follow OAR 845-006-0392 and 845-006-0396.
- * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption **off** your licensed premises. Must follow OAR 845-006-0399.
- **Deliver:** May deliver direct to consumer, but only to members and guests, for consumption **off** your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers. Must follow OAR 845-006-0392 and 845-006-0396.
 - * Malt beverages, wine, and cider in a securely covered container (growler). There is no minimum container size limit; however, the maximum size of the container is two gallons. Must follow OAR 845-006-0392 and 845-006-0396.
 - * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption **off** your licensed premises. Must follow OAR 845-006-0399.
- Food service: In all areas where alcohol service is available, the club must make available at least three different substantial food items. See OAR 845-006-0459 and 845-006-0461.
- Must have a food preparation area and equipment on the licensed premises adequate to meet the food service requirements.
- Must have a minimum of 100 members.
- Must be a nonprofit corporation registered as such with Oregon's Office of the Secretary of State.
- Eligible to apply to get pre-approved to cater some events, but only to members and guests, off of the annually licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity) as described in ORS 471.184(1).
- Eligible to apply for a "special event" license: Temporary Use of an Annual License (TUAL) to sell and serve alcoholic beverages at a special event, but only to members and guests, off of the annually licensed premises as described in ORS 471.184(2).
- Link to license application page: [full on-premises sales, nonprofit private club application page](#)

License Type: Full On-Premises Sales, Other Public Location (F-PL)

- The OLCC license fee is \$800 per year.
- Must be open to the public. See OAR 845-005-0320(4).
- **On-premises.** May sell and serve by the drink at retail to consumers for consumption **on** your licensed premises:
 - * Distilled spirits, malt beverages (beer), wine, and cider.
- **Off-Premises:** May sell at retail to consumers for consumption **off** your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers for take-out and delivery. There is no minimum or maximum container size or volume limit for take-out; however, to deliver must follow OAR 845-006-0392 and 845-006-0396.
 - * Malt beverages, wine, and cider in a securely covered container (growler) for take-out and delivery. There is no minimum container size limit; however, the maximum size of the container is two gallons. To deliver, must follow OAR 845-006-0392 and 845-006-0396.
 - * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption **off** your licensed premises. Must follow OAR 845-006-0399.
- **Deliver:** May deliver direct to consumer for consumption **off** your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers. Must follow OAR 845-006-0392 and 845-006-0396.



OREGON LIQUOR & CANNABIS COMMISSION

FULL ON-PREMISES SALES Primary License Privileges

- * Malt beverages, wine, and cider in a securely covered container (growler). There is no minimum container size limit; however, the maximum size of the container is two gallons. Must follow OAR 845-006-0392 and 845-006-0396.
- * Cocktails (mixed drinks) and servings of wine by the drink to consumers for consumption **off** your licensed premises. Must follow OAR 845-006-0399.
- Food service: At all times and in all areas where alcohol service is available, must make available at least five different substantial food items. See OAR 845-006-0459 and 845-006-0464.
- Must have a food preparation area and equipment on the licensed premises adequate to meet the food service requirements.
- Eligible to apply to get pre-approved to cater some events off of the annually licensed premises (events that are small, usually closed to the general public, and where food service is the primary activity) as described in ORS 471.184(1).
- Eligible to apply for a "special event" license: Temporary Use of an Annual License (TUAL) to sell and serve alcoholic beverages at a special event off of the annually licensed premises as described in ORS 471.184(2).
- Link to license application page: [full on-premises sales, other public location application page](#)

License Type: Full On-Premises Sales, Public Passenger Carrier (F-PC)

- The OLCC license fee is \$800 per year.
- For an airline, railroad, or tour boat to sell and serve distilled spirits, malt beverages, wine, and cider by the drink for consumption on the licensed premises.
- Food service: See OAR 845-006-0463.
- Link to license application page: [full on-premises sales, public passenger carrier application page](#)

Obtaining Alcoholic Beverages for Sale and Service

All six types of full on-premises sales licenses must obtain their alcoholic beverages as follows:

- Malt beverages (beer)
 - * Must obtain malt beverages (beer) only from manufacturers and wholesalers within Oregon. These are the following license types: brewery, brewery-public house, and wholesale malt beverage and wine.
- Wine and cider
 - * May obtain wine and cider from manufacturers and wholesalers within Oregon. These are the following license types: grower sales privilege, wholesale malt beverage and wine, and winery.
 - * May obtain wine and cider directly from businesses outside of Oregon only if:
 - The business outside of Oregon holds an OLCC-issued wine self-distribution permit; and
 - The full on-premises sales licensee has received an endorsement to receive from the OLCC and follows OAR 845-006-0401.
- Distilled liquor
 - * Must obtain distilled liquor from an OLCC Retail Liquor Store.

Some Other Links

- Temporary Use of an Annual license (TUAL) application: [TUAL application](#)
- Alcoholic liquor laws: [ORS 471](#)
- Delivery of mixed drinks and servings of wine: [OAR 845-006-0399](#)
- Wine and cider delivery to consumer: [OAR 845-006-0392](#)
- Malt beverage delivery to a consumer: [OAR 845-006-0396](#)
- F-COM food requirements: [OAR 845-006-0459](#) and [OAR 845-006-0460](#)



OREGON LIQUOR & CANNABIS COMMISSION

FULL ON-PREMISES SALES Primary License Privileges

- F-CAT food requirements: [OAR 845-006-0459](#) and [OAR 845-006-0462](#)
- F-FPC food requirements: [OAR 845-006-0459](#) and [OAR 845-006-0460](#)
- F-CLU food requirements: [OAR 845-006-0459](#) and [OAR 845-006-0461](#)
- F-PL food requirements: [OAR 845-006-0459](#) and [OAR 845-006-0464](#)
- F-PC food requirements: [OAR 845-006-0459](#) and [OAR 845-006-0463](#)
- For alcohol service permit questions: olcc.servicepermits@oregon.gov
- For general liquor licensing questions: olcc.liquorlicenseapplication@oregon.gov
- For liquor license renewal inquiries: olcc.renewals@oregon.gov
- For liquor compliance or enforcement inquiries: alcohol@oregon.gov



OREGON LIQUOR & CANNABIS COMMISSION

OFF-PREMISES SALES Primary License Privileges

Introduction

Oregon Revised Statute (ORS) 471.186 authorizes the off-premises sales license and its license privileges.

Off-Premises Sales

- The OLCC license fee is \$200 per year.
- Off-Premises: May sell at retail to consumers for consumption **off** your licensed premises:
 - * Malt beverages, wine, and cider in factory-sealed containers. There is no minimum or maximum container size or volume limit to sell, but there are delivery limits (see the delivery rules).
 - * Malt beverages, wine, and cider in a securely covered container (growler). The container may not hold more than two gallons; however, there is no minimum container size limit. There are delivery limits (see the delivery rules).
- May deliver factory-sealed containers and securely covered containers (growlers) of malt beverages (beer), wine, and cider direct to consumer for consumption **off** your licensed premises; however, must follow the delivery rules at OAR 845-006-0392 and 845-006-0396.
- Eligible to apply to get pre-approval to provide sample tastings of malt beverages, wine, and cider for consumption on the premises.
- Eligible to apply for a Temporary Sales License (TSL).

Obtaining Alcoholic Beverages for Sale and Service

All off-premises sales licenses must obtain their alcoholic beverages as follows:

- Malt beverages (beer)
 - * Must obtain malt beverages (beer) only from manufacturers and wholesalers within Oregon. These are the following license types: brewery, brewery-public house, and wholesale malt beverage and wine.
- Wine and cider
 - * May obtain wine and cider from manufacturers and wholesalers within Oregon. These are the following license types: grower sales privilege, wholesale malt beverage and wine, and winery.
 - * May obtain wine and cider directly from businesses outside of Oregon only if:
 - The business outside of Oregon holds an OLCC-issued wine self-distribution permit; and
 - The OFF-premises sales licensee has received an endorsement to receive from the OLCC and follows OAR 845-006-0401.

Oregon's Bottle Bill

All off-premises sales licenses must comply with Oregon's Bottle Bill requirements.

- [Bottle Bill Checklist](#)
- [Oregon's Bottle Bill: Included Beverages](#)
- [Oregon's Bottle Bill: Not Included Beverages](#)

Some Links

- Alcoholic liquor laws: [ORS 471](#)
- Wine and cider delivery to consumer: [OAR 845-006-0392](#)
- Malt beverage delivery to a consumer: [OAR 845-006-0396](#)
- For alcohol service permit questions: olcc.servicepermits@oregon.gov
- For general liquor licensing questions: olcc.liquorlicenseapplication@oregon.gov



OREGON LIQUOR & CANNABIS COMMISSION

OFF-PREMISES SALES Primary License Privileges

- For liquor license renewal inquiries: olcc.renewals@oregon.gov
- For liquor compliance or enforcement inquiries: alcohol@oregon.gov

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 5
Meeting Date: February 5, 2024
Department: City Council

ITEM TITLE: City Council Meeting Minutes

DISCUSSION/ISSUE:

Consider approval of the draft minutes listed below.
Materials distributed during City Council meetings can be found on the City of Florence's website at www.ci.florence.or.us under the calendar date for each particular meeting. In addition, all items pertaining to the meeting including the meeting agenda, materials and items distributed, as well as electronic audio/video recordings of the meeting, are referenced at the top of each set of approved minutes, and can be referenced either on the City's website or upon request of the City Recorder.

FISCAL IMPACT:

Minutes incur staff time for compilation / retention and have no other fiscal impacts.

RELEVANCE TO ADOPTED COUNCIL GOALS:

Goal 1: Deliver efficient and cost-effective city services.

ALTERNATIVES: 1. Approve the minutes as presented
2. Review and approve the minutes with modifications

RECOMMENDATION: Approve the minutes as presented

AIS PREPARED BY: Lindsey White, City Recorder

CITY MANAGER'S RECOMMENDATION: Approve Disapprove Other

Comments: *ER Reynolds*

ITEM'S ATTACHED: **Attachment 1** – Draft Jan. 4, 2024 City Council Work Session
Attachment 2 – Draft Jan. 8, 2024 City Council Regular Session
Attachment 3 – Draft Jan. 11, 2024 City Council Work Session
Attachment 4 – Draft Jan. 22, 2024 City Council Regular Session

This document is supplemented by agenda packet materials, meeting materials distributed and electronic audio / video recordings of the meeting and may be reviewed upon request to the City Recorder.

**City of Florence
City Council Work Session
Florence City Hall
250 Highway 101, Florence, Oregon
Final Action Minutes
January 4, 2024**

Councilors Present: Mayor Ward, Councilors Sally Wantz, Bill Meyer, and Robert Carp.

Councilors Absent: Councilor Jo Beaudreau.

Staff Present: City Manager Erin Reynolds, City Recorder Lindsey White, Police Chief John Pitcher, Public Works Director Mike Miller, Administrative Services Director Anne Baker, Community Development Director Wendy Farley Campbell, Assistant City Manager Megan Messmer, and Human Resources Director Alex Ferguson.

Guests Present: Housing Developer Clayton Crowhurst and Project Developer Matt Salazar.

Handout: 1.4.24 City Council Meeting Base Presentation

CALL TO ORDER - ROLL CALL – PLEDGE OF ALLEGIANCE

Meeting called to order at 8:45 a.m.

1. WORK SESSION TOPICS

- **FLORENCE AFFORDABLE HOUSING PRESENTATION:** Clayton Crowhurst, Senior Housing Developer for Northwest Housing Alternatives (NHA), and Matt Salazar, Project Developer for Homes for Good will give a presentation regarding affordable housing and the LIFT funding point system.
- **SHORE PINES APARTMENTS PROJECT TOUR:** At the conclusion of the Work Session, the City Council; will tour the Northwest Housing Alternatives Shore Pines Apartments project.

Start Time: 8:46 a.m.

Topic: The City Council participated in the introductions and agenda overview and held no additional discussions.
Start Time: 8:48 a.m.
Topic: Florence Affordable Housing Presentation
Discussion: Senior Housing Developer Clayton Crowhurst and Project Developer Matt Salazar presented the staff presentation.
Handouts: Staff Presentation
Discussion: The City Council discussed...

- Understanding housing vouchers.
- Understanding occupancy standards.
- Renters coming from local population.
- Availability of grant programs for Homes for Good.

Comments: All Councilors present.

Council took a break from 10:13 a.m. to 10:30 a.m.

Start Time: 10:30 a.m.
Topic: Shore Pines Apartments Project Tour
Discussion: The City Council took a tour of the Shore Pines Apartments project.
Comments: All Councilor present.

Meeting adjourned at 10:50 a.m.

ATTEST:

Rob Ward, Mayor

Lindsey White, City Recorder

This document is supplemented by agenda packet materials, meeting materials distributed and electronic audio / video recordings of the meeting and may be reviewed upon request to the City Recorder.

**City of Florence
City Council Regular Session
Florence City Hall
250 Hwy 101, Florence, Oregon
Final Action Minutes
January 8, 2024**

Councilors Present: Mayor Ward, Councilors Sally Wantz, Bill Meyer, Jo Beaudreau, and Robert Carp.

Councilors Absent: None.

Staff Present: City Manager Erin Reynolds, City Recorder Lindsey White, Assistant City Manager Megan Messmer, Administrative Services Director Anne Baker, Public Works Director Mike Miller, Community Development Director Wendy FarleyCampbell, Police Chief John Pitcher, and Human Resources Director Alex Ferguson.

Guests Present: Baha'i Community Representatives Frances and Paul Klippel.

Handout: 1.8.24 City Council Meeting Base Presentation

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 5:30 p.m.

PRESENTATIONS & ANNOUNCEMENTS

- Martin Luther King Jr. National Day of Service Proclamation

Start Time: 5:31 p.m.

Discussion: Mayor Ward presented...

- Martin Luther King Jr. National Day of Service Proclamation

1. PUBLIC COMMENTS

This is an opportunity for members of the public to bring to the Council's attention any item not otherwise listed on the agenda.

Start Time: 5:36 p.m.
Commenter 1: Michael Allen
Handout: Speaker's Card and Written Comments
Discussion: Mr. Allen discussed...

- Climate petition and New Year Report.

ACTION ITEMS

2. STREET SWEEPER PURCHASE

Consider approving the purchase of a new Schwarze A7 Tornado Street Sweeper for the purchase price of \$425,548.

Start Time: 5:40 p.m.
Discussion: PWD Miller presented the staff presentation.
Handouts: Staff Presentation
Discussion: The City Council discussed...

- Disposition of current street sweeper and value.
- Estimated life expectancy.
- Using dual driver positions.
- Understanding the necessity of dual driver positions when left hand driver position provides \$20,000 savings.

Comments: Councilors Carp, Beaudreau, and Wantz

Discussion: Staff discussed...

- Current sweeper will be auctioned and estimated value is \$60,000.
- Estimated life is 12-15 years.
- Dual driver positions provide safety especially if driving to Portland for servicing.

Comments: PWD Miller

Action: Approve purchase of a new Schwarze A7 Tornado Street Sweeper for the purchase price of \$425,548 and authorize City Manager to sign the purchase agreement with SWS Equipment Company.

Motion: Councilor Meyer
Second: Councilor Carp
Roll Call: Councilor Carp, 'Aye'
Councilor Wantz, 'Nay'
Councilor Meyer, 'Aye'
Councilor Beaudreau, 'Nay'
Mayor Ward, 'Aye'
Motion passes 3-2

CONSENT AGENDA

3. BRIDGEPORT MARKET CHANGE OF OWNERSHIP REQUEST

Consider recommendation of approval to the Oregon Liquor & Cannabis Commission (OLCC) for a change of ownership liquor license for the Bridgeport Market located at 75 Harbor Street, Suite 100.

4. APPROVAL OF MMETING MINUTES

Consider approval of the November 6, 2023 City Council Regular Session, November 16, 2023 City Council Work Session, November 20, 2023 City Council Regular Session, December 4, 2023 City Council and Planning Commission Joint Work Session, December 7, 2023 City Council Work Session, December 11, 2023 City Council Regular Session, and December 14, 2023 City Council Work Session meeting minutes.

Start Time: 6:01 p.m.

Discussion: The City Council discussed...

- No discussion.

Action: Approve the consent agenda as presented.

Motion: Councilor Wantz

Second: Councilor Meyer

Roll Call Vote: Councilor Beaudreau, 'Aye'

Councilor Meyer, 'Aye'

Councilor Wantz, 'Aye'

Councilor Carp, 'Aye'

Mayor Ward, 'Aye'

Motion passes 'unanimously'

REPORT & DISCUSSION ITEMS

5. DEPARTMENT DIRECTOR UPDATES

Start Time: 6:02 p.m.

Discussion: The Department Directors discussed...

- December rainfall was 21.34 inches. Calendar total for 2023 is 72.67 inches of rain.
- Reinstalled the construction camera at Miller Park to provide additional security footage near the restrooms.
- Cannery Station has filed application for assisted living facility.
- Very successful toy giveaway with Three Rivers Casino, Greentrees Village, and Catholic Church contributing toys.

- Upcoming State of the City taking place in February.
 - Upcoming events at the Florence Events Center.
- Comments: PWD Miller, CDD FarleyCampbell, Police Chief Pitcher, and ACM Messmer.

6. CITY MANAGER REPORT & DISCUSSION ITEMS

Start Time: 6:11 p.m.
Discussion: The City Council discussed...

- Upcoming City Meetings and Events.

Comments: All Councilors present.

7. CITY COUNCIL REPORT & DISCUSSION ITEMS

Start Time: 6:12 p.m.
Discussion: The City Council discussed...

- Thanking all involved in the Shore Pines apartments project.
- Looking forward to future housing projects.
- Reminding everyone there will be a MLK National Day of Service program on January 14th.
- Participating in the Changing of the Watch for the Coast Guard Auxiliary.

Comments: All Councilors present.

Meeting adjourned at 6:16 p.m.

ATTEST:

Rob Ward, Mayor

Lindsey White, City Recorder

This document is supplemented by agenda packet materials, meeting materials distributed and electronic audio / video recordings of the meeting and may be reviewed upon request to the City Recorder.

**City of Florence
City Council Work Session
Florence City Hall
250 Highway 101, Florence, Oregon
Final Action Minutes
January 11, 2024**

Councilors Present: Mayor Ward, Councilors Sally Wantz, and Robert Carp.

Councilors Absent: Councilor Bill Meyer arrived at 9:00 a.m. Councilor Jo Beaudreau arrived at 10:01 a.m.

Staff Present: City Manager Erin Reynolds, City Recorder Lindsey White, Police Chief John Pitcher, Public Works Director Mike Miller, Community Development Director Wendy Farley Campbell, and Assistant City Manager Megan Messmer.

Guests Present: City Attorney Ross Williamson.

Handout: 1.11.24 City Council Meeting Base Presentation

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 8:51 a.m.

1. WORK SESSION TOPICS

- The City Council will be discussing proposed code updates to regulate camping and event based emergency shelters as a continuation from the December 4, 2023 Joint Work Session.

Start Time: 8:51 a.m.

Topic: The City Council participated in the introductions and agenda overview and held no additional discussions.

Start Time: 8:54 a.m.

Topic: Proposed code updates to regulate camping and event-based emergency shelters as a continuation from the December 4, 2023 Joint Work Session.

Discussion: CDD FarleyCampbell presented topic recap and update.
Handouts: Staff Presentation
Discussion: The City Council discussed...

- No discussion.

Start Time: 9:02 a.m.
Topic: Proposed code updates to regulate camping and event-based emergency shelters as a continuation from the December 4, 2023 Joint Work Session.

Discussion: City Attorney Williamson presented the staff presentation.
Handouts: Staff Presentation
Discussion: The City Council discussed...

- Understanding possible US Supreme Court ruling.
- Understanding ORS 195.530 adopted in 2021 by the Oregon Legislature.
- Understanding areas where camping will not be allowed.
- Understanding whether posting 'no camping' is necessary.
- Proposing open house for providing information and education to the public on proposed code.

Comments: All Councilors present.

Council took a break from 9:50 a.m. to 9:58 a.m.

Start Time: 9:58 a.m.
Topic: Proposed code updates to regulate camping and event-based emergency shelters as a continuation from the December 4, 2023 Joint Work Session.
Discussion: City Attorney Williamson continued presenting the staff presentation.
Handouts: Staff Presentation
Discussion: The City Council discussed...

- Understanding parking distances and time limits.
- Providing an appeal process if permission is revoked.
- Clarifying verbiage for city-owned facilities.
- Understanding RV parking time limits versus camping time limits.
- Providing considerations for people who may sleep during the day due to night employment.
- Flexibility to change unintended consequences of code changes.
- Next steps options.

Comments: All Councilor present.

Meeting adjourned at 11:05 a.m.

ATTEST:

Rob Ward, Mayor

Lindsey White, City Recorder

DRAFT

This document is supplemented by agenda packet materials, meeting materials distributed and electronic audio / video recordings of the meeting and may be reviewed upon request to the City Recorder.

**City of Florence
City Council Regular Session
Florence City Hall
250 Hwy 101, Florence, Oregon
Final Action Minutes
January 22, 2024**

Councilors Present: Mayor Ward, Councilors Sally Wantz, Bill Meyer, Jo Beaudreau, and Robert Carp.

Councilors Absent: None.

Staff Present: City Manager Erin Reynolds, City Recorder Lindsey White, Assistant City Manager Megan Messmer, Administrative Services Director Anne Baker, Public Works Director Mike Miller, Community Development Director Wendy FarleyCampbell, Police Chief John Pitcher, and Finance Manager Lezlea Purcell.

Guests Present: None.

Handout: 1.22.24 City Council Meeting Base Presentation

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 5:30 p.m.

1. PUBLIC COMMENTS

This is an opportunity for members of the public to bring to the Council's attention any item not otherwise listed on the agenda.

Start Time: 5:32 p.m.
Commenter 1: Michael Allen
Handout: Speaker's Card and Written Comments
Discussion: Mr. Allen discussed...

- Youth involvement in City government.

- Commending Councilor Wantz for her outstanding remarks supporting youth involvement in Florence city government.

ACTION ITEMS

2. RHODODENDRON DRIVE RIGHT-OF-WAY NEGOTIATIONS AUTHORIZATION

Consider approving **Resolution No. 1, Series 2024**, a resolution authorizing the City of Florence to exercise the power of eminent domain for the Rhododendron Drive Realignment and Improvement Project.

Start Time: 5:35 p.m.
 Discussion: PWD Miller presented the staff presentation.
 Handouts: Staff Presentation
 Discussion: The City Council discussed...

- PWD Miller’s conversations with property owner.
- Inquiring about size of property.
- History of property; indicating it was intentionally sectioned off for future right-of-way.
- Looking like an easy process to achieve purchase.

 Comments: Councilors Carp, Wantz, Beaudreau, and Meyer.

Action: Approve Resolution No. 1, Series 2024 as presented.
 Motion: Councilor Meyer
 Second: Councilor Beaudreau
 Roll Call: Councilor Carp, ‘Aye’
 Councilor Wantz, ‘Aye’
 Councilor Meyer, ‘Aye’
 Councilor Beaudreau, ‘Aye’
 Mayor Ward, ‘Aye’
 Motion passes ‘unanimously’

CONSENT AGENDA

3. CLAWSON’S WHEEL HOUSE FULL ON PREMISE LIQUOR LICENSE

Consider recommendation of approval to the Oregon Liquor & Cannabis Commission (OLCC) for a full on premises liquor license for Clawson’s Wheel House located at 820 Highway 101.

Start Time: 5:51 p.m.
 Discussion: The City Council discussed...

- Defining full on premise liquor license.
- Status of property ownership.

 Comments: Mayor Ward and Councilor Meyer.

Action: Approve the consent agenda as presented.
Motion: Councilor Wantz
Second: Councilor Meyer
Roll Call Vote: Councilor Carp, 'Aye'
Councilor Wantz, 'Aye'
Councilor Meyer, 'Aye'
Councilor Beaudreau, 'Aye'
Mayor Ward, 'Aye'
Motion passes 'unanimously'

REPORT & DISCUSSION ITEMS

4. RHODODENDRON DRIVE REALIGNMENT AND IMPROVEMENT PROJECT UPDATE AND TIMELINE

Start Time: 5:54 p.m.
Discussion: PWD Miller presented the staff presentation.
Handouts: Staff Presentation
Discussion: The City Council discussed...

- Having an end of project celebration.
- Understanding calculations of slope easement.
- Reaching out to school district on possible bus routes changes due to construction.

Comments: Councilors Meyer and Carp, and Mayor Ward.

5. GENERAL REPORTS

- December Committee, Commission and Volunteer Reports.

Start Time: 5:54 p.m.
Discussion: The City Council discussed...

- No discussion.

6. DEPARTMENT DIRECTOR UPDATES

Start Time: 6:12 p.m.
Discussion: The Department Directors discussed...

- Upcoming Panning Commission meeting.
- Tyler implementation update and ongoing staff training.
- Receiving \$1,000 citizen donation to be applied to Youth Academy with donator's input.
- Receiving an estate donation in memory of citizen's father to be applied to National Night Out.

- Update on new vehicle purchases, one ordered two years ago.
- Year-end update on FloGro sales.
- Year-end update on volunteer hours.
- Upcoming events at the Florence Events Center.

Comments: CM Reynolds, ASD Baker, Police Chief Pitcher, and PWD Miller.

Start Time: 6:21 p.m.

Discussion: The City Council discussed...

- Requesting summary of energy efficient steps the City has taken over the past two or three years such as building efficiencies, purchasing more energy efficient vehicles and posting summary on City website.

Comments: Mayor Ward.

Discussion: The Department Directors continued discussing...

- Upcoming Florence Urban Renewal Agency meeting.
- Upcoming events at the Florence Events Center.
- WLEOG survey results.
- Lane County Emergency Operations coordination from ice storm.
- Upcoming State of the City taking place in February.

Comments: CR White and ACM Messmer.

7. CITY MANAGER REPORT & DISCUSSION ITEMS

Start Time: 6:26 p.m.

Discussion: The City Council discussed...

- Upcoming City Meetings and Events.
- Public Arts Committee reviewing applications for Art Exposed program.
- Upcoming free concert (Oregon Origins Project) at the Florence Events Center in February.

Comments: All Councilors present.

8. CITY COUNCIL REPORT & DISCUSSION ITEMS

Start Time: 6:30 p.m.

Discussion: The City Council discussed...

- Upcoming Public Arts Committee update on Art Exposed.
- Upcoming residential project at Oak Manor calling out for local artists.

- Working with Youth Art impressions.
 - Upcoming EMAC events and projects.
 - Arbor Day celebration.
 - Food waste challenge.
 - No Mow May.
 - Kingwood Street cleanup.
 - Attending School Board meeting.
 - Exploring Council Meeting at High School.
 - Women’s March in Florence.
 - Encouraging Councilors to attend Winter Musical Festival at Florence Events Centers.
 - Thanking staff for Christmas lights and decorations placed through the City.
- Comments: All Councilors present.

Meeting adjourned at 6:39 p.m.

ATTEST:

Rob Ward, Mayor

Lindsey White, City Recorder

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 6
Meeting Date: February 5, 2024
Department: Public Works

ITEM TITLE: Siuslaw River Slope Stabilization Project Update

DISCUSSION/ISSUE:

Public Works Director Mike Miller will provide the City Council an update on the Siuslaw River Slope Stabilization Project. Key items include:

- Current slippage rate and impact from winter storms
- Potential Funding Sources
- Short and long term projects

The Siuslaw River Slope Stabilization Project is located along the top of the slope to the Siuslaw River near the US Coast Guard Station Siuslaw River facility. As previously reported, a portion of the steep slope has begun to activity slide. With recent storms and significant rain events from January 12th to present, the slippage has become more acute. From the City’s evaluation the slope movement resulted in the formation of a scarp (a long steep slope or cliff at the edge of a plateau or ridge that is formed by erosion).

Our design team is in the process of developing an engineered solution consisting of a secant pile retaining wall above the scarp to prevent it from progressing north toward the Coast Guard Station parking lot; south toward a private residence; west to the Siuslaw River; as well as storm drainage system modifications to potentially eliminate the stormwater outfall at the scarp location. The secant pile retaining wall system has an estimated project cost of \$999,995.

FISCAL IMPACT:

Currently we are investigating several funding options, including funding from Federal Emergency Management Agency (FEMA) through Lane County’s Emergency Declaration; Congressional Directed Spending (CDS) grant application; and Water Resources Development Act (WRDA) which is a comprehensive legislative package that provides for the conservation and development of water and related resources (for the long term in-water work project). Below is the preliminary cost estimate:

Siuslaw River Slope Stabilization Project

<u>Description</u>	<u>Cost</u>
Preliminary engineering and geology investigation	\$36,995
Design engineering and permitting	\$165,000
Slope monitoring services	\$20,000
Secant Pile Wall construction	\$750,000
Inspection Services, including specialty Geotech inspections	<u>\$28,000</u>
Project estimated total	\$999,995

If we are successful in obtaining the FEMA or other funding sources, these programs will provide much needed resources to address this unanticipated and accelerating slope stabilization project.

RELEVANCE TO ADOPTED CITY WORK PLAN:

Siuslaw River Slope Stabilization Project is related to the City work plan objectives of:

- Plan and completion of the Coast Guard Road stormwater redesign and slope stabilization project.

The Siuslaw River Slope Stabilization Project is also related to the following overarching City Goals:

- City Service Delivery - improving the delivery of cost effective and efficient services by leveraging grant proceeds to provide emergency slope stabilization to protect public and private property.
- Livability & Quality of Life – by being responsive to our community’s needs and improving our ability to respond to a natural disaster.
- Economic Development – by utilizing federal funds to offset ratepayer and local general funds.
- Communication & Trust – strengthening citizen trust by providing emergency services to avoid a potential loss of property or roadway access.
- Financial & Organizational Sustainability – leveraging local funds with grant proceeds to complete the Siuslaw River Slope Stabilization Project in the vicinity of the northwest end of Coast Guard Road.

AIS PREPARED BY: Mike Miller, Public Works Director

CITY MANAGER’S RECOMMENDATION: Approve Disapprove Other

Comments:

ERReynolds

ITEM’S ATTACHED: None

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 7
Meeting Date: February 5, 2024
Department: City Manager

ITEM TITLE: Department Director Updates

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 8
Meeting Date: February 5, 2024
Department: City Manager

ITEM TITLE: City Manager Report & Discussion Items

AGENDA ITEM SUMMARY
FLORENCE CITY COUNCIL

ITEM NO: 9
Meeting Date: February 5, 2024
Department: City Council

ITEM TITLE: City Council Reports & Discussion Items
