

*City of Florence*  
Progress on  
**2014 City Council Goals**  
1st Quarter – March 17, 2014  
2nd Quarter – July 21, 2014

1. Obtain Sustainable Funding for the Streets Maintenance Program by Pursuing a Gas Tax. *(Assigned to City Manager, Public Works Director and Finance Director)*

March 17, 2014 Update:

Since January the staff team consisting of CM Jacque Betz, FD Erin Reynolds, PWD Mike Miller and EA Megan Messmer have been meeting and working on several prongs to this issue. We have received information from the State on the amount of fuel sold in the community and from that information we have been able to calculate projected revenue streams for several different scenarios and alternatives.

EA Megan Messmer has put together a draft survey that the rest of the team reviewed on March 4<sup>th</sup>. The survey is designed to gather some basic information, such as how many miles an individual travels and how often a person needs to fill their vehicle with fuel. We will also use the survey to ascertain if the community will support a year round local fuel tax or a seasonal one. The information will be used to help Council to determine the best course of action. Our focus is to finalize the survey by the end of March so that it can be included in the April utility bills and posted on the City website. Results from the survey will be included in the June edition of Focus on Florence.

Staff will continue to meet every other week to gather information and formulate a recommendation that will come to Council on June 2<sup>nd</sup>. The recommendation will include a couple different scenarios (year-round versus seasonal, revenue projections based on the information we have received from the State, how many cents per gallon would reasonably be supported by voters, and which streets would be included in the maintenance package).

If Council selects one of the proposals, staff will bring back a resolution at the July 21<sup>st</sup> meeting asking to have the gas tax placed on the ballot and approve the ballot title. August 15<sup>th</sup> is the deadline to have everything to the election's office. We will also have an educational campaign proposal for Council to consider. Our consistent message remains that our street maintenance funds are not sustainable and it is the City's desire

to make sure that all users of our streets are paying for the impact and not just the citizens. It's an equity issue.

July 21, 2014 Update:

At the June 2<sup>nd</sup> meeting the City Council received a thorough staff report regarding the Sustainable Streets Fuel Tax proposal. After City Council discussed and considered options, they approved pursuing the Seasonal Fuel Tax scenario where the fuel tax would be 3 ¢ during low season and 5 ¢ during high season. In addition, the City Council directed the City Attorney to work with staff to begin working on draft language and a draft resolution for the Fuel Tax Scenario. An agenda item has been scheduled for the July 21<sup>st</sup> City Council meeting to consider approving a resolution referring the fuel tax to the voters on the November 2014 ballot and direct the attorney to prepare the ballot title. The staff team now consisting of CM Pro-Tem Larry Patterson, FD Erin Reynolds, PWD Mike Miller and Assistant to the CM Megan Messmer and PW Administrative Assistant Shawn Penrod have continued meeting since the June 2<sup>nd</sup> Council meeting in order to keep momentum on this goal. During this time staff has developed an informational brochure.

Assistant to the CM Messmer and PW Administrative Assistant Shawn Penrod have begun to contact civic organizations and the media to schedule meetings where members of the Council can discuss and answer questions that citizens may have about the proposed fuel tax and provide education regarding the City's Transportation Infrastructure. The staff will also provide informational articles in the City newsletter regarding City street conditions and ratings.

2. Consider Options on the Spruce Street LID – Seifert Property, which is in the Lane County foreclosure process. *(Assigned to City Manager and Finance Director)*

March 17, 2014 Update:

CM Jacque Betz, PWD Mike Miller, and FD Erin Reynolds have vetted this issue with the Council since October 2013 and, because of its financial nuances, it became a 2014 Council Goal. In 2005, the City of Florence created a Local Improvement District (LID) and began improvements for the area north of Munsel Lake Road and Spruce Street in the fall of 2007. A LID is a financing method by which a group of property owners can share in the cost of infrastructure improvements. This can include improving the street, building sidewalks, installing water and wastewater systems, and installing a stormwater management system. Because a majority of the current Council was not serving when the Spruce Street LID was created, staff provided detailed information on its formation to the Council in December 2013 at its goal setting session.

The benefitting properties of the improvements are known as the Spruce Street Local Improvement District. At the completion of the project, costs were assessed on the 24 benefitting properties. The City then obtained a 20 year bond in 2010 with the assumption that the assessment payments received from the Spruce Street LID Property owners would pay the correlating debt service each year.

The reason this became a 2014 Council Goal is because two property owners are not paying their assessments. Recent financial reports now show that three properties (Cannery Station LLC) are not paying their assessments. The third property, however, does not warrant action from Council at this time, but we will keep them informed. Because these properties are not paying their assessments, each year's debt service costs weighs heavily on the City. If this trend continues, (without including the third property) it is predicted that the City will be paying approximately \$50,000 - \$60,000 of the \$95,000 in debt service costs each year. It is then estimated that the City will pay over the 20 years of this bond \$1.48 million of the \$2.2 million in debt service expenses.

The situation is further complicated by one property owner (Seifert) that makes up approximately 50% of the Spruce Street LID. The owner of the property is in a situation where Lane County has issued a notice of foreclosure due to delinquent property taxes. The City has the "first right of refusal" to redeem this property for the amount of property taxes due (over \$74,000) or relinquish the City's lien and interest in this property all together. The redemption period ends September 30, 2014. Keep in mind there are many ancillary environmental costs associated with this property outside the delinquent property taxes. We are required to pay the LID assessment payments regardless.

Based on information received to date, Council asked staff to solicit answers on the following questions:

1. What is the order of liens on the property?
2. If the County forecloses (we or the property owner doesn't redeem), does the City still have an interest or any legal recourse?
  - a. After the County forecloses – what happens next?
  - b. Could the City bid on the auction block?
  - c. What if a private party is a successful bidder – does the city have ability to recoup costs from the new owner?
3. If the City chooses to redeem the property – what happens then?
  - a. Who owns it?
  - b. What about other interests/liens?
  - c. What would the City's foreclosure process look like?
4. Does the City have any other legal recourse than redeeming the property and foreclosing on the property ourselves?

(These questions were answered in writing and provided to Council at their Council goal setting session, but are included in this report as a refresher as Attachment 1.)

On December 10, 2013, CM Betz and PWD Miller attended a meeting with Mary Camarata, who works for DEQ and is an appointed member of the Governors RST (Regional Solutions Team), Seth Sadofsky (also on the RST), Shashi Bajracharya (Lane County Engineering Analyst), and Jeff Turk (Lane County Property Management Officer) to discuss options with the Seifert property.

During that meeting, the City was informed by County representative Jeff Turk of ORS 275.275 "Distribution of Proceeds." A summary of the ORS was also provided to Council at their goal setting session; however, for purposes of this report, staff will summarize how it will relate to a request that staff will recommend to Council in April to not pay the back property taxes on the Seifert property, which is essentially the first policy level decision that needs to be addressed in relation to this goal. This decision needs to be made before our budget season begins.

When a county determines that it wants to sell real property, ORS 275.275 governs how the sale proceeds are apportioned. In our attorney's analysis of the state statute it directs Lane County to pay over some proceeds of the property sale if an entity notifies Lane County they have a City LID assessment, under certain circumstances. If the City pays the back taxes, we are not in a position to recoup any costs associated with the property and essentially would only be doing the property owner a favor by acknowledging the debt, and possibly just prolonging the process. The property owner would continue to own the property and the clock would be reset for a County foreclosure in the future.

If the City allows the property to be foreclosed on, we are in a better financial position to recover some of the costs associated with the LID. As mentioned above, it is staff's intent to bring an action item to Council in April that will include a detailed staff report on why we recommend not budgeting for the back property taxes in our upcoming budget process (enforcing our first right of refusal); and to also authorize staff to formally notify the County, in writing, our intent to not do so once the County has taken ownership of the property through the foreclosure process. Our deadline to make such notice is September 2014.

#### July 21, 2014 Update:

At the April 7<sup>th</sup> City Council meeting the staff provided council with a report on the Seifert Property within the Spruce Street Local Improvement District. At the meeting the

Council agreed with Staff's recommendation to not include in the 2014-15 budget an expenditure to pay the delinquent property taxes on the Seifert property and gave permission for the staff to notify the County that the City has a LID lien on the property.

An update on the Spruce Street LID Background and update memo was provided to the Council at the June 16<sup>th</sup> meeting. To date the City has not received an assessment payment for the Seifert property. The current Council policy decision is to not exercise the City's right to redeem the Seifert property from the County's foreclosure process. Therefore, the City does not intend to pay the delinquent property taxes (in excess of \$77,000) on Seifert's behalf.

The City Council held a public hearing and completed the land use process for the Seifert property at the July 7<sup>th</sup> council meeting. At this meeting the council approved Ordinance No. 3, Series 2014 adopting amendments to the Comprehensive Plan text and map changing the plan designation from North Commercial and Service Industrial to High Density and an amendment to the zoning map changing the zoning from Service Industrial and North Commercial to Mobile Home/Manufactured Home Residential District.

3. Explore Orderly Growth Opportunities within the Urban Growth Boundary. (*Assigned to Public Works Director and Planning Director*)

March 17, 2014 Update:

IPD Kelli Weese, SP Wendy Farley-Campbell, PWD Mike Miller and CM Jacque Betz have been discussing the issues and laying the groundwork for some strategies to streamline orderly growth opportunities. One of the items in the strategies is to finalize the sewer master plan and bring it forward to City Council for adoption. The new sewer master plan provides guidance on how the outlining areas can be provided sewer. Other items that staff is reviewing are: standardizing the application costs to annex into the City; whether an existing structure (house) that is only needing sewer have to pay street and stormwater SDC's upon annexation; and are there interim solutions to allow connection to the City pressure sewer system while at the same time allowing for the development and construction of a gravity system. Staff will continue to meet and will come to council with a recommendation in the fall.

July 21, 2014 Update:

In coordination with the Finance and Public Works Departments, Planning updated the Annexation Information Facts Sheet with revised tax, SDC and utility connection information. This new information was distributed to the Florence Area Board of

Realtors for use in their quarterly training held on May 7th at the Florence Events Center. Planning staff has been researching other communities gathering samples and ideas on delivery and formatting of public annexation education and application materials. Staff will finalize this research and update the materials and website in the fall. Public Works staff is reviewing the draft Sewer Master Plan provided by the consultant and will bringing it to City Council for adoption later in the year.

4. Implement Utility Code Service and Billing Policy Changes (*Assigned to Finance Director and Public Works Director*).

March 17, 2014 Update:

The staff team assigned the Utility Code and Billing City Council 2014 Goal consists of CM Jacque Betz, FD Erin Reynolds, PWD Mike Miller, and EA Megan Messmer. The team met in early February to outline the issues and to develop a timeline in which we hope to execute this goal. At our initial meeting FD Reynolds presented the key issues related to the Utility Billing process and the related city code. Key issues include the need to enforce property owner responsibility, enhanced coordination between the tenant and the property owner, a focus on increasing tenant accountability, and the need to revise our internal utility billing processes to be more efficient and effective in providing services to our customers. As these issues are addressed the need to modify the City Utility Code and fee structure will arise. The goal is to develop better processes which will hopefully lead to better customer service, customer satisfaction, and revenue collections.

In addition, CM Betz and EA Messmer have met to read through and research the formation of FCC Title 9 (Utilities) to identify areas that we may propose to be re-written in order to be clear and consistent with actual or desired processes. Team members have and will continue to interview and research other governmental entities in order to learn how they deliver utility billing services and to deploy what is applicable. The team will draft a staff proposal to be presented to the Council in late summer or early fall.

July 21, 2014 Update:

The Finance Utility Billing Team consisting of FD Erin Reynolds, Assistant FD Hilary Thompson and Utility Billing Clerk John Peerson began to meet in late June 2014 to develop a plan to draft a proposal that will contain updates to the Utility city code and billing procedures & policies. We expect to present our proposal to the Council later this year.

An exciting development that was the final result of the accounting software Clarity upgrade is being able to provide online bill-pay and account information for our utility customers. The system is called Xpress Billpay and is an add-on to the Clarity software. We will be going live with the new system August 1<sup>st</sup>. Customers will be notified of the expanded payment option in an insert in their utility bill, the City website, and newsletter.

Another change is that the City will begin utilizing backflow management module that is available with the Clarity upgrade. By using the Clarity backflow management module, staff in Public Works will be able more accurately associate the backflow device with the current property owner. The stand-alone software solution that Public Works was using was a great program; however not being able to sync the two software programs has been cumbersome.

5. Implement Strategic Plan for Records Retention (*Assigned to the City Recorder*)

March 17, 2014 Update:

The first quarter of this year has been spent gathering information and preparing a work plan for the strategic plan & inventory. Staff has begun researching the higher level projects concerning the records management plan including research on the technological process for archiving email and computer records and preparing a request from our Technology Consultant to perform a cost/benefit analysis on possible Records Retention Solutions.

Staff continues to work utilize a contract employee to scan the building department files, which is approximately 75% completed. This includes completion of our large subdivisions of Florentine Estate and Greentrees. This is a valuable resource to have at the counter; allowing staff to provide access to building permit records to homeowners and realtors. This provides the public access to this information without the time and money that was previously required.

July 21, 2014 Update:

The beginning of July marked the completion of the scanning and indexing of the building department files. With the help of a contract employee, staff has scanned over 8,000 address files for their building permit records over the past 8 months, marking nearly 280 hours of staff time. To put this in perspective, in the past 3 ½ years, staff has digitized more than 13,500 files marking a significant streamlining of the day to day records access in the City of Florence. Let it be said that slow and steady really can win a race.

The next major project with file digitizing will be the City's land use records. Scanning the City's land use records will vastly improve the customer service in the Planning Department by allowing builders/developers/residents easy access to information about the approvals that have been issued for their properties. In the past two years approximately 71% of the public records requests submitted by interested parties were for land use and/or building files. Digitizing these files will also include creation of an index to allow for easy research into the past approvals based on multiple search criteria including file/resolution number, applicant, address, map number, and type of application.

6. Secure Location and Financing of a New Public Works Facility. (*Assigned to Public Works Director, Finance Director, and City Manager*)

March 17, 2014 Update:

In order to determine which of the two sites are physically able to accommodate a new Public Works Facility, Public Works is working with a firm to program the site. Programming the site means that we are just looking at the new components of the new facility, such as garage space, equipment storage, material storage, staff and visitor parking along with office, restroom, lunch and locker areas to see what size the structures need to be. From this information we will be able to tell which site is best suited to meet our current needs now and at least 20-years into the future. At the April 7<sup>th</sup> Council meeting, staff will bring forward a site recommendation with a request for the City Manager and Public Works Director to negotiate a land lease for the preferred property; and authorization to research funding options as well as beginning the preliminary design services work. The land lease will not be executed until the Council has approved the financing package at a later date. Detailed information on this process will be in the April 7<sup>th</sup> staff report.

July 21, 2014 Update:

At the April 7<sup>th</sup> City Council meeting staff presented a report requesting approval and authorization for several items in relation to the new Public Works Operation Facility. After discussion, the City Council approved Staff's recommendations to take the following four action items:

- a) City Council approved the selection of Lots 12, 13 and 14 for the new PW operations facility.
- b) Authorized the City Manager and Public Works Director to negotiate a land lease of the airport property (Lots 12, 13 and 14) in the Pacific View Business Park.
- c) Authorized staff to research funding options to construct a new PW operations facility.

- d) Authorized staff to develop an RFQ to solicit qualified firms to perform architectural and engineering design services.

**Update on item “b”** PWD Mike Miller has reached out to other municipal airport managers to get a sample lease or agreement in order to not reinvent the wheel. After talking with our airport engineers at Century West, PWD Mike Miller contacted Kirk Holmes at the County of Kittitas, Washington. Mr. Holmes is the PW Director and is responsible for their airport too. He indicated that their 911 dispatch center is on airport property with a 100 year ground lease and they are paying a fair market value. Mr. Holmes also stated that he is working with the County attorneys for a new lease to place his street department headquarters on airport property which is a win-win for the County (lease payments go to the airport and their street department will be located near other County facilities).

**Update on item “c”** As part of researching funding options, Assistant to the CM Megan Messmer and PW Administrative Assistant Shawn Penrod attended the Oregon Water & Wastewater Infrastructure Finance Workshop in Roseburg on May 13<sup>th</sup>. At the workshop they were able to learn about funding resources from the following agencies:

- USDA Rural Development • Oregon Department of Environmental Quality (DEQ)
- Rural Community Assistance Corporation (RCAC) • League of Oregon Cities (LOC)
- Oregon Health Authority (OHA) • Infrastructure Finance Authority (IFA) • Indian Health Services (IHS) • Oregon Association of Water Utilities (OAWU)

From this event they learned that the most appropriate course of action for the City to take in seeking low cost funding is to present our project to the Infrastructure Finance Authority (IFA). IFA is a division of the Business Oregon. The first step in the process to evaluate funding options available is for City Staff to complete the IFA project notification & intake form (currently being filled out by staff). Once the IFA intake form is submitted it will be reviewed by the State. If our project meets the criteria the City will move on to the “One-Stop” meeting which will offer us the chance to find the best solution to meet our capital financing needs. They learned at the Finance Workshop, that the IFA "One Stop" meetings are proving to be highly effective at helping communities more quickly and efficiently find solutions to their most vexing infrastructure funding issues. One-Stop meetings are held every month at the State office or can be scheduled locally at the project location. The IFA organizes these meetings and as many as eight various agencies and associations are invited to the meeting with a goal of having funding resources available from one of those agencies.

**Update on item “d”** PW Director plans to release the RFQ to solicit architectural and engineering services in August 2014.

7. Complete the Lane County Co-adoption Process (*Assigned to City Manager and Planning Director*)

March 17, 2014 Update:

Co-Adoption is the formal process for governing agencies to work together so that their comprehensive and specialized plans are coordinated. Counties and cities in Oregon are required by State Law to work together to prepare, review, and revise ordinances relating to the lands outside the City Limits but within the Urban Growth Boundaries. Working with the County to co-adopt the comprehensive plan ensures that properties within the Urban Growth Boundary, that will eventually be within the City limits, are following the same set of rules (to the extent possible) that city residents are required to follow. It is also the first step to having the comprehensive plan acknowledged by the State, as required by ORS 197.251. Not having a State acknowledged plan can lead to increases in staff time to address multiple versions of the comprehensive plan (i.e. the currently adopted plan, vs. the previously acknowledged plan), and in the event of larger controversial items it also increases the City's liability in the event items are appealed to the land use board of appeals.

What is left to do?: There are essentially five items that still require some action (by either Lane County or the City) prior to completion...

1. Periodic Review Work Task 8 – Urbanization – or better known as the City's annexation policy.
2. Periodic Review Work Task 6 – Coastal Goals
3. Parks and Recreation Master Plan
4. Stormwater Management Plan & Stormwater Design Manual
5. Transportation System Plan

Items number 1 and 2 are all that are left to finish the City of Florence's periodic review process. Item 1 has been through much iteration. To summarize, in August 2012 Lane County passed Ord. PA 1289 proposing changes to the City's annexation policy. In September 2012, the City of Florence agreed to the proposed changes and initiated amendments to the Comprehensive Plan to match those of Lane County. All that is left to move forward with this process is to bring the amendments to a public hearing with the Planning Commission and then City Council for eventual ordinance adoption.

Item 2 was passed by the City of Florence in 2009 as the final piece to the City's periodic review process. To finish up this process the City of Florence could take one of two options. The first option is the most thorough, which is to complete co-adoption of these amendments with Lane County then submit those amendments to DLCD in order

to dispense with periodic review. The second option is to submit a request to DLCD to dispense with periodic review prior to co-adoption of this piece. In reviewing the periodic review work task program, the task simply required 'coordination' with Lane County, not 'co-adoption', prior to completion of the work task program. The city can show that Lane County was provided opportunities for involvement throughout the planning process prior to adoption of the coastal element updates in 2009. Choosing this action would simply delay co-adoption, as co-adoption would eventually be necessary for the reasons stated above, but it could suffice should Council elect not to allot money on the co-adoption process at this time.

Items 3 and 4 are called "post acknowledgement plan amendments." This means they are comprehensive plan amendments that were not required by the State as part of a periodic review process, therefore there is no timeline for completion of the items. They will eventually need to be co-adopted to avoid liability concerns and to assure proper coordination with Lane County but there is no deadline to do so.

Item 5 is also a post acknowledgement plan amendment. This item differs because co-adoption of this item is submitted to Lane County Transportation Planning (as opposed to Lane County Land Management), and there are no direct filing fees for the applications. The County does however charge for staff time and supply costs to complete co-adoption of these items.

Coordinating with Lane County: In 2000, the City of Florence signed an intergovernmental agreement to work together to co-adopt items within the comprehensive plan, as well as work together should applications come before either body in the urban growth area or area of interest. Since that time, Lane County set policy to operate its planning department as an enterprise and recover 100% of its costs from application fees. They charge City's within their jurisdiction fees ranging from \$12,000 - \$20,000 for co-adopting the comprehensive plan through the Lane County process. No other Oregon county requires it's cities to pay such exorbitant fees for routine coordination. In fact, it is not typical for fees to be associated with these kinds of planning processes because it leads directly to miscommunication between the parties, and it is certainly against the spirit of the land use laws.

Understanding the fees that would be involved, and given the process that was already underway for co-adoption of the City of Florence amendments concerning annexation (Item 1), the City chose to wait until all future comprehensive plan amendments were completed and compile one application to the County; which would potentially save the City money and save the County public notification fees by streamlining the process. This is with the exception of the Siuslaw Estuary Partnership amendments, which were grant funded, and the Transportation System Plan which has no filing fees.

Over the last few months the Mayor and staff have been negotiating with Lane County concerning the best way to package the remaining items to be co-adopted (Items 2-4). In late 2013, Lane County staff notified the City that they would be requiring three application fees for the items, which would cost the City approximately \$36,000. Mayor Xavier and CM Betz met with Lane County Commissioner Bozievich on two occasions to try to work out a solution and advocate for the items to be packaged together with one application fee. In February Lane County staff stated that they would allow the City to submit two applications instead of three, the first for the Coastal Goals (Item 2), the second for Parks and Recreation and Stormwater Plans (Items 3 & 4). The City let the County know at that time that we would review our options before proceeding.

The best way to move forward: Given the difficulty in moving forward with the items with Lane County, staff recommends the City take a phased approach in working through co-adoption with the County.

- 1) During this fiscal year (through the end of June), staff will be working with LCOG on co-adoption of the transportation system plan (Item 5) with Lane County, because this item does not require a filing fee. This should be adopted with Lane County in the early summer.
- 2) After completion of the co-adoption process for the TSP (or during depending on staff time), staff will work with LCOG on completing the annexation policy piece (Item 1) by holding public hearings with the Planning Commission and City Council. Should we need to wait until after the TSP is adopted, this process should begin this summer.
- 3) Prior to application for co-adoption of any other items, staff will seek to dispense with the periodic review process by submitting application to the State. Doing so will provide the City time should the co-adoption process be sustained at the County level, or should the City elect not to spend money on Lane County application fees.
- 4) For next fiscal year (July 2014 – June 2015), staff recommends the City budget to allow for application for co-adoption of the coastal goals (Item 2), however should funds not be available a request for completion of the periodic review process (step 3 above) should suffice.
- 5) For fiscal year July 2015-June 2016, staff recommends the City budget to allow for application of the final two items, the Parks and Recreation Master Plan and the Stormwater Management Amendments. (items 3-4)

Segregating these items will allow the City to move forward at a pace that would allow for better distribution of funds. Although in the long term seeking comprehensive plan co-adoption with Lane County is in the best interest of the City to ensure compliance

with ORS 197.251, there are limited liabilities with not doing so. To that end staff recommends the above plan to move forward at a pace the City can afford.

July 21, 2014 Update:

Since the spring staff has been working on the following steps toward completion of co-adoption with Lane County.

- 1) **Transportation System Plan:** Staff has continued to work with Lane Council of Governments on co-adoption of the Transportation System Plan (TSP): On April 15<sup>th</sup> the Lane County Planning Commission held a public hearing on the Florence TSP, where they recommended approval to the Lane County Board of Commissioners. The County Commissioners held their first reading on July 8<sup>th</sup>. The second reading and public hearing are scheduled for July 22<sup>nd</sup>.
- 2) **Annexation Policy:** After completion of the TSP adoption, staff will complete the annexation policy amendment by holding public hearings with the Planning Commission and City Council. These hearings will likely be scheduled for the fall.
- 3) **Lane County Co-Adoption Fees:** With little more movement being attained by working with Lane County staff, City staff had been communicating with West Lane County Commissioner Jay Bozevich about the potential to reduce or waive the fees for co-adoption, however due to the election there was little movement on the issue. Since then Mr. Bozevich has re-engaged with city staff and proposes to take the item to the Commissioners as a future agenda item. In the meantime staff will prepare a request to DLCDC to acknowledge the coastal goals item of the periodic review process in case the County does not waive the fee.
- 4) **Budget Approval:** In the interim while waiting on a determination from Lane County on the potential fees for the co-adoption process, staff requested and was approved for a budget of \$14,000 for Lane County fees for the co-adoption of the coastal goals portion of the comprehensive plan for FY14/15. The next fiscal year, FY 15/16, staff will request an additional \$14,000 in the budget process to allow for the application of the final two items, the Parks and Recreation Master Plan and the Stormwater Management Amendments. Verbal confirmation has been received from Lane County staff that those amendments could be accomplished under one planning application and thus one fee.

8. Implement Old Town Parking Code Changes (*Assigned to Planning Department*)

March 17, 2014 Update:

On March 3<sup>rd</sup>, the City Council reviewed and initiated proposed code amendments to waive parking requirements for existing structures in Old Town District A, and allow for a waiver of up to 50% of the parking for new development with the exception of residential, lodging, motels, hotels or inns. The next steps are to prepare a staff report concerning the amendments, and submit this along with the proposal to the Oregon Department of Land Conservation and Development. This is required at least 35 days before the first hearing. Given this timeline, the hearing at the Planning Commission level will likely occur in May, 2014.

July 21, 2014 Update:

On May 13<sup>th</sup> the Florence Planning Commission held a hearing on the City Council initiated Old Town parking code revisions. Staff received confirmation from DLCD that no notice was required to them because the amendments are less restrictive. The Planning Commission did not have a quorum on May 13<sup>th</sup> and so continued the item to June 10<sup>th</sup>. They did not receive any additional testimony on the 10<sup>th</sup> and so they closed the hearing and held deliberations. The Planning Commission directed staff to provide clarifying code language on when parking could be eliminated based on their conversation. They will continue deliberations at their meeting on July 22<sup>nd</sup>.

9. Implement “Dark Sky” Lighting Regulations (*Assigned to Planning Department*)

March 17, 2014 Update:

Dark Sky lighting regulations are designed to reduce light pollution, the effects of unnatural lighting on the environment, and cut down on energy usage. Since January SP FarleyCampbell has researched the Dark Sky movement, its purpose and supporting evidence, model and simplified code language, and associated lighting design elements. Additionally, the City of Florence’ existing City Code and Comprehensive Plan language related to lighting has been identified and flagged for comparison. Next steps include assessing Florence’ lighting situation by identifying illumination levels, evidence of glare, light trespass and clutter in both commercial and residential areas of Florence; comparing the Dark Sky code elements with Florence’ lighting policies; and preparation of draft code language options based on the lighting assessment and code research.

An abbreviated introduction to the basis for Dark Sky code based on the International Dark Skies Association (IDSA) follows. Their website includes a breadth of information and associated links; for more information go to [www.darksky.org](http://www.darksky.org).

Dark Sky regulations focus on eliminating glare and light trespass through bulb shielding, reducing light clutter by targeted light fixture placement (right light for the right job), and reducing energy waste by supporting LEDs, and the use of timers, dimmers, and sensors. The IDSA cites the following light pollution impacts:

Safety: Glare from unshielded lights creates deep shadows offering criminal concealment; glare and visual distractions along streets offer challenges to concentration; too much light or consistent light provide illumination that vandals and criminals need.

Energy Waste: Unshielded lights require higher wattage bulbs; consistent lighting uses energy unnecessarily.

Human Health: Light pollution causes early on-set of vision problems such as reducing contrast sensitivity and color perception; suppresses melatonin which regulates the daily systemic activity cycles; creates sleep disorders increasing weight gain, stress, depression and the onset of diabetes; and disrupts circadian rhythms resulting in insomnia, cancer and cardiovascular disease. *Florence relevance: higher number of older drivers who are more susceptible to vision problems; our city code supports increased density and mixed uses in Commercial, Mainstreet and Old Town Districts.*

Wildlife Health: Light pollution affects nocturnal animal and insect breeding, health, migration and population numbers. *Florence relevance: predominately the amphibian and reptile habitat in the wetland and riparian areas affected by sky glow and river and beach properties' with light trespass.*

#### July 21, 2014 Update:

Since the last update planning staff has been comparing the Dark Sky code elements with Florence's lighting policies. Staff has also received training on the light meter to be used for assessing the illumination levels in commercial and residential areas of Florence. The next steps are to test the light levels at targeted areas of town and draft proposed code language code based on the lighting assessment and code research. These will be brought to the City Council in the Fall.