

JOINT WORK SESSION WITH COMMUNITY STAKEHOLDERS

1. INTRODUCTIONS

Chairperson Nieberlein opened the meeting at 6:00 pm. Roll call: All Commissioners were present except Commissioner Peters who was excused. Also present: Community Development Director (CDD) Belson; Public Works Director (PWD) Miller; Florence Planning Consultant Carol Heinkel; Jean White, Siuslaw Estuary Partnership Community Stakeholder representing Volkswalkers; and City Manager (CM) Bob Willoughby.

2. EXPLANATION OF PROPOSED AMENDMENTS RELATED TO THE FLORENCE STORMWATER DESIGN MANUAL

CDD Belson gave an overview and PowerPoint presentation (see Attached Power Point presentation) regarding the proposed amendments in the Comprehensive Plan, the Stormwater Management Plan and City Code. She said the objective is to make the plans and code consistent with the Guiding Principles of the Siuslaw Estuary Partnership, the Florence Stormwater Design Manual, and the Statewide Planning Goals and Guidelines, specifically Goal 11, Public Facilities and Services. CDD Belson stated that additional objectives are to clarify which portions of the Comprehensive Plan and Appendices are part of the Comprehensive Plan. CDD Belson stated that Florence has taken the approach in the past to adopt many documents into the Appendices of the Comprehensive Plan and the advantage to this is that they are all collected together but the disadvantage is that any time a change is desired, there is a need to go through a Comprehensive Plan amendment. CDD Belson stated that this process is an opportunity to add clarity to which portions of the Facilities Plans are part of the Comprehensive Plan. CDD Belson also gave an overview of the Siuslaw Estuary Partnership. CDD Belson stated that the proposed amendments are not a major policy shift in terms of how we handle stormwater.

PWD Miller discussed the purpose of the Stormwater Design Manual, describing it as a Best Management Practices (BMP) manual. He said it details what happens in Florence regarding ground water, large amounts of rainfall, soils, contaminates, and runoff. He stated that this is comprehensive and that it does not replace the Portland Stormwater Manual. PWD Miller gave a history of the evolution of the Stormwater Plan and also went over different tools for handling stormwater. He gave an overview of the plans for the Siuslaw Interpretive Center. He stated that common stormwater pollutants are metals such as zinc, lead, copper, oil and grease, chemicals such as pesticides and herbicides, sediment which is turbidity, nutrients such as nitrogen and phosphorus, temperature, pH, and pathogens. PWD Miller stated that tools for stormwater include impervious area reduction techniques such as pervious pavement, vegetative treatment facilities such as swales, planters, rain gardens, or filter strips, and structural facilities such as soakage trench, drywells, ponds, tanks, and manufactured treatment technologies. He clarified that drywells require an underground injection control (UIC) permit. He presented pictures of the various items of which he was speaking.

To answer a question of the Commission regarding what is being added in terms of soil amendments and what the water quality treatment is, PWD Miller explained that there are many blends but what they have found that works well is a three-part mixture with one-part compost,

one-part sandy loam, and one-part native sand. He stated that part of the treatment is the microbes in the compost. He referenced the ionic exchanges (positive and negative charges).

To answer a question of the Commission regarding flow rate, PWD Miller stated that the design engineer calculated that they wanted eight-inches per hour of infiltration. He stated that they did not achieve this because it is too high impact. He stated that the accumulation per hour depends on the surface area.

To answer a question of the Commission, PWD Miller explained that the 2008 Portland Manual is the most current and they still refer to it. He stated that the Florence Design Manual has not replaced the Portland Manual. He stated that the Florence Design Manual is simplified to make it easier to understand. He stated that they still refer to the Portland manual for the "nuts and bolts" of a stormwater system. PWD Miller stated that the Florence Manual is supplemental and what cannot be answered by referring to it, a person would then turn to the Portland Manual.

CDD Belson asked Carol Heinkel if she would like to add anything regarding the proposed amendments.

Heinkel stated that the amendments primarily were intended to make the Comprehensive Plan and Code consistent with the Florence Stormwater Design Manual; but that, as that work commenced, it became apparent that other aspects of the policy framework required adjustments as well. She said currently the Comprehensive Plan does not specify which plans, studies, and maps are part of the Plan and thus trigger a Comprehensive Plan amendment when changed. She said, for example, in 2002, all of the detailed facility plans for water, wastewater, and stormwater were adopted, in their entirety, into the Comprehensive Plan; although state law mandates that only certain portions of these plans be adopted as part of the Comprehensive Plan. She said the result is that, today, when the facility plans are implemented, they require a Comprehensive Plan amendment process if they are not implemented exactly as prescribed in the plans. She said the proposed amendments seek to remedy this situation and put the detailed requirements in the Code rather than the Comprehensive Plan. She said the objective is to make Comprehensive Plan policy sufficiently specific to support the detailed requirements in the Code and the Manual, but not so specific that a Comprehensive Plan amendment process is necessary every time the Code is implemented. She said she believes that this will be the biggest challenge for this adoption process, that is: to craft policy language in the Comprehensive Plan that achieves this objective. She said staff made an attempt at it, but there is likely to be room for improvement.

CDD Belson commented that in addition to public comment, they will also be sending many referrals out to other agencies to obtain comment, including the 19 local, state, federal and tribal agencies that serve on the Siuslaw Estuary Partnership Interdisciplinary Team. She said this is a working document and it may be revised prior to the public hearing.

To answer a question of the Commission on how to measure the success of this change, PWD Miller stated that one measurement is the observation that there is no more flooding in the streets, and the other measurement is testing specific areas and projects for stormwater to discover what kind of water quality they are achieving through these different techniques.

Chairperson Nieberlein closed the work session at 7:01 pm and called for a two minute recess before opening the regular session.

REGULAR SESSION

CALL TO ORDER ~ ROLL CALL ~ PLEDGE OF ALLEGIANCE

Chairperson Nieberlein opened the meeting at 7:05 pm. Roll call: All Commissioners were present except Commissioner Peters who was excused. Also present: Community Development Director (CDD) Belson; Public Works Director (PWD) Miller; City Manager (CM) Bob Willoughby; Florence Planning Consultant (PC) Carol Heinkel; and Jean White, Siuslaw Estuary Partnership Community Stakeholder representing Volkswalkers. Commissioner Tilton led the Pledge of Allegiance.

1. APPROVAL OF AGENDA

Chairperson Nieberlein stated that she would like to change the Agenda. Chairperson Nieberlein stated that item number 3 will be Public Comment, item number 4 will be Public Comment Regarding Stormwater Issues, item number 5 will be Action Item, item number 6 will be Director's Report, item number 7 will be Planning Commission Discussion Items, and item number 8 will be Calendar.

Commissioner Hoile made the motion to approve the Agenda as amended by Chairperson Nieberlein. Commissioner Bare seconded the motion. The motion passed by unanimous vote.

2. APPROVAL OF MINUTES

Commissioner Bare made the motion to approve the minutes of April 26, 2011 as corrected. Commissioner Muilenburg seconded the motion. The motion passed by unanimous vote. (Please see the April 26, 2011 minutes for corrections.)

Commissioner Bare made the motion to approve the minutes of May 10, 2011 as presented. Commissioner Muilenburg seconded the motion. The motion passed by unanimous vote.

Commissioner Hoile made the motion to approve the minutes of May 24, 2011 as presented. Commissioner Muilenburg seconded the motion. The motion passed by unanimous vote.

3. PUBLIC COMMENTS

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

There were no public comments.

4. PUBLIC COMMENT REGARDING STORMWATER INITIATION PROCESS

There were no public comments.

5. ACTION ITEM

Chairperson Nieberlein stated that the action item is to approve Resolution PC 11 06 CPA 01 and PC 11 07 ZC 01 to initiate the process for legislative amendments to the Florence Realization 2020 Comprehensive Plan, Florence Stormwater Management Plan, and Florence City Code (FCC) Titles 9, 10, and 11 for consistency with the Florence Stormwater Design Manual.

CDD Belson presented to the Planning Commission, Exhibit "A" titled *Staff Report and Findings – Florence Community Development Department*.

CDD Belson presented to the Planning Commission, Exhibit "B" titled *Resolution PC 11 06 CPA and PC 11 07 ZC 01 - Florence Planning Commission: A Resolution to Initiate Legislative Amendments to the Florence Realization 2020 Comprehensive Plan, Florence Stormwater Management Plan, and Florence City Code Titles 9, 10, and 11 For Consistency with Florence Stormwater Design Manual and Various Housekeeping Amendments*.

CDD Belson presented to the Planning Commission, Exhibit "C" titled *Proposed Amendments to Florence Stormwater Design Manual, December 2010, June 2, 2011*. She said this Exhibit is included in the packet for information and is not part of the Resolution; these amendments to the Design Manual will be submitted to the City Council for approval.

CDD Belson stated there was further staff conversation with the Chief of Police and that he proposed some modifications to the amendments included in the packet. She handed out a revised page 13 of 14 of Exhibit B, Attachment "1" that show the changes that were made (see Attachment 1).

CDD Belson stated that the options before the Planning Commission are to either initiate the amendments as proposed by passing the Resolution, make changes to the amendments and pass the Resolution, or schedule this item for further deliberation at a future meeting.

Commissioner Wise referenced Exhibit B, Attachment "3," page 1, line 38 that reads "Other Sections that are not directly applicable to Florence or are partially applicable because they have been modified by the *Florence Stormwater Design Manual, December 2010*". He stated that these are not adopted and he wonders how a person who is reading this code would know which sections were not adopted. Heinkel explained how Exhibit B, Attachment "3" was set up to resolve the issue of inapplicable items. She said there are some aspects to the Portland Manual that do not apply to Florence but to go through the entire manual and pull those items out would be costly and time consuming. Commissioner Wise commented that if there were sections that are not adopted but turn out to be necessary for something in the future, would this end up being a Design Review Board decision. PWD Miller stated that there are some items referenced in that manual that are very unique to Portland and those unique items would never be addressed in Florence but if by some chance there was something that came up, the City would rely on the recommendation of himself and his engineering staff. Heinkel asked if adding the words "that the Florence Public Works Director finds" in front of "are not directly applicable" in the last bullet of that section would address his concern. Commissioner Wise agreed that it would.

The Planning Commission agreed to this change.

Commissioner Muilenburg asked for staff to verify his understanding that the only new document was the Florence Stormwater Design Manual and that the City has already adopted the Portland Manual by reference. Mike verified that this was the case.

Commissioner Wise referenced Exhibit B, Attachment "3," page 1, line 43 that reads "B. The *City of Florence Stormwater Design Manual*, December 2010, shall amend and supersede the 2008 *City of Portland Stormwater Management Manual*." He said it is not possible to both amend and then supersede something. Commissioner Wise said to supersede means literally "to put in front," which means item (B) supersedes (A) and (A) no longer exists.

The Planning Commission came to a consensus that throughout the entire document, "amend and" will be removed from "shall amend and supersede."

Commissioner Wise referenced Exhibit B, Attachment "3," page 8 line 7 that reads "10-34-3-1: Applicability. Except for single-family and duplex dwelling uses, this Section shall apply to all new development as well as changes of use and expansions as described below, and shall apply in all districts except where superseded by specific zoning district requirements. These provisions shall be in addition to the provisions of FCC Title 9 and where there are conflicts, the provisions of Title 9 shall prevail." He focused on the last underlined line stating all of Title 9 should be referenced because all of Title 9 applies. Heinkel suggested adding Chapter 5 after Title 9 where applicable.

Commissioner Wise said regarding FCC 10-34-3-1, that it seems to him what is being said is that it applies for uses that are not a single family residence or a duplex and you are making a change or an addition. He said this is subordinate to any specific zone requirement such as landscaping so if there is a conflict with the specific zone, the zone prevails then there is Title 9 that says for each and every specific zone Title 10 is superseded by Title 9. Commissioner Wise said it implies that the City is making the zoning regulations subordinate to Title 9. CDD Belson asked Commissioner Wise if he has the understanding that this applies only to the landscaping provisions in the zoning district or is he thinking that all zoning, even for things other than landscaping, is superseded by Title 9, Chapter 5. He said because they are in landscaping, it would only apply to landscaping. CDD Belson said she believes that this was the intent. Commissioner Wise said if Title 9 does not explicitly prohibit something, is there some chance that the Portland Manual would apply. He said it is his objective to make the code readable and unambiguous with simple language. Commissioner Wise said it needs to be more specific.

The Planning Commission came to a consensus to change the words "Title 9" in Exhibit B, Attachment "3," page 8, lines 11 and 12 to "Title 9, Chapter 5."

Commissioner Wise commended staff for a job well done.

Commissioner Muilenburg said there are some things in the Portland Manual that they would want to see in the document but he wants to make sure that they are eliminating any possible conflict to where someone might try to do something that the City does not allow just because it is still referenced in the Portland Manual.

Chairperson Nieberlein asked the Commissioners if there were any other questions and no one spoke. She asked the Commissioners what they desired at this point.

Commissioner Wise said there was prior reference to a time constraint at the end of June 2011. CDD Belson stated that the City has to follow the requirements of the grant guidelines but it is not so limited that the Commission must make a decision tonight. She said if they are not ready to make a decision tonight, they can continue their discussion and decision to a future meeting.

Commissioner Bare made the motion that the Planning Commission approve Resolution PC 11 06 CPA 01 and PC 11 07 ZC 01 to initiate the process for legislative amendments to the Florence Realization 2020 Comprehensive Plan, Florence Stormwater Management Plan, and Florence City Code (FCC) Titles 9, 10, and 11 for consistency with the Florence Stormwater Design Manual accepted by the City Council on December 6, 2010, including additional amendments (Attachment 1) to Comprehensive Plan Chapter 11 related to Police Services, as presented, and changes to Exhibit B attachments agreed to by the Commission. Commissioner Muilenburg seconded the motion. The motion passed by unanimous vote.

6. DIRECTOR'S REPORT

CDD Belson provided the Code Enforcement Activity Report.

CDD Belson stated that she received direction from the City Manager who received direction from some of the Council members that they are not in favor of having laptops at the meeting.

CDD Belson went over items in the approved budget.

7. PLANNING COMMISSION DISCUSSION ITEMS

Commissioner Wise stated that one of the things he would like to go over in the future is the design review process and the rules that apply. He stated that when he reads the law, they appear to be quite different from what the Commission actual does.

CDD Belson explained that staff support has been minimized so there will be no staff to assist Commissioner Wise on what he would like to do but he and/or the Planning Commission is welcome to do his/their own research.

8. CALENDAR

Tuesday, June 28, 2011 ~ 6:30 pm City Hall (Informal Staff Appreciation Festivities)

Tuesday, June 28, 2011 ~ 7:00 pm City Hall (Code Amendments for Coast Village Zoning District)

Tuesday, July 12, 2011 ~ 7:00 pm City Hall (Regular Session)

ADJOURNMENT

There being no further business to come before the Florence Planning Commission, Chairperson Nieberlein adjourned the meeting at 8:30 pm.

APPROVED BY THE FLORENCE PLANNING COMMISSION ON THE 28 DAY OF July 2011.


JAN NIEBERLEIN, CHAIRPERSON
FLORENCE PLANNING COMMISSION

**ATTACHMENT 1: EXHIBIT B ATTACHMENT 1 FOR RESOLUTION PC 11 06 CPA
01 AND PC 11 07 ZC 01 – FLORENCE REALIZATION 2020 COMPREHENSIVE PLAN
AMENDMENTS FOR CONSISTENCY WITH DECEMBER 2010 CITY OF FLORENCE
STORMWATER DESIGN MANUAL, DRAFT 6-2-11 PAGE 13 AND 14**

Public Safety and Health-Related Services

Policies

3. ~~The City shall work to build and maintain its police services at parity with similar size communities in Oregon. Periodically, the City shall review the level of service being provided by it's police department and will strive to maintain a full-service department as City Council policies and the City's financial resources allow.~~
5. The City shall continue to cooperate with other public safety agencies in the provision of emergency management service according to the Western Lane County Emergency Management Plan, included in Appendix 11 of this plan. Additionally, as resources allow the City shall continue to cooperate and participate with other public safety, governmental and other organizations in the Western Lane Emergency Operations Group (WLEOG). The WLEOG's primary purpose is for emergency response training, public education, and disaster planning.

Recommendations

5. ~~The City should work towards providing police staffing consistent with standards for communities of its size in Oregon. Police Department staffing levels should be maintained to provide the level of services as determined by the City Council.~~

Police Services, Page XI-18 (Third Paragraph)

Background

~~Police personnel include regular officers, communications officers to man "911" center, reserve officers, a police auxiliary and an officer in the schools and a domestic violence officer. The department has mutual aid agreements with the Lane County Sheriff's Department and the Oregon State Police. Staffing levels are less than generally accepted standards for a community of its size within Oregon. The police department is also working with SRFPD #1 and other agencies on emergency/disaster planning.~~

The Florence Police Department strives to remain a full service police department. The services offered are: police patrol and investigatory response; 911 Communications and Dispatch; a jail operated as a full service local correctional facility; and code enforcement. Police personnel include: police officers; reserve police officers; communications officer to staff the Public Safety Answering Point (911 Dispatch); a code enforcement officer; and an auxiliary. The Department has, and will maintain, mutual aid agreements with the Lane County Sheriff's Department and the Oregon State Police.

Siuslaw Estuary Partnership

An Integrated Multiple Objective Approach to
Watershed Protection and Restoration



**Florence Stormwater Design Manual
Plan and Code Amendments
Planning Commission Work Session
June 7, 2011**

Proposal

Initiate Legislative Amendments to:

- Florence Realization 2020
Comprehensive Plan
- Florence Stormwater Management
Plan
- Florence City Code Titles 9, 10 & 11

Objectives

Make City Plans and Codes consistent with:

- Guiding Principles of the Siuslaw Estuary
Partnership
- Florence Stormwater Design Manual
- Minimum requirements of Public Facility
Plan provisions of Statewide Planning
Goal 11: Public Facilities and Services

Additional Objectives

- Clarify which portions of the
Comprehensive Plan and Appendices are
part of the Comprehensive Plan
- Update Chapter 11 of the Comprehensive
Plan as it relates to Public Safety
- Clean up formatting and improve clarity
and consistency

Siuslaw Estuary Partnership

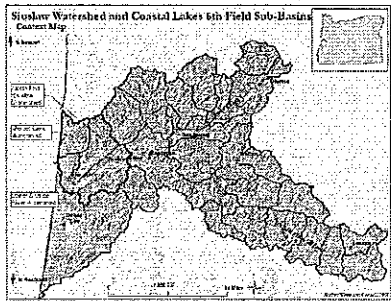
A three year project funded by the City of
Florence and its partner agencies to
protect and improve water quality and fish
and wildlife habitat in the lower Siuslaw
Watershed. For more information, visit the
web site: www.SiuslawWaters.org.

Siuslaw Estuary Partnerships

- Interdisciplinary Team:
19 federal, state, tribal, and local agencies
- Elected Official
Stakeholders
- Community
Stakeholders



Siuslaw Estuary Partnership Project Study Area



Project Timeline

- **Project:** October 1, 2009 thru September 30, 2012
- **Phases:**
 - **Phase I:** Form Partnerships and Integrated Approach
Oct 1, 2009 thru Sept 30, 2010
 - **Phase II:** Collect Data and Analyze Alternatives
Oct 1, 2010 thru Sept 30, 2011
 - **Phase III:** Propose Policies and Measures and Submit for Adoption
Oct 1, 2011 thru Sept 30, 2012

Siuslaw Estuary Partnership Guiding Principles

- **Endorsed by the City of Florence; Lane County; Heceta Water District; Siuslaw Soil and Water Conservation District; Siuslaw Watershed Council; and the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians**
- **Principles related to Stormwater are reflected in proposed Comprehensive Plan amendments (Stormwater Policies 1-8)**

Florence Stormwater Design Manual



The Design Manual will improve Best Management Practices (BMPs). Florence's high seasonal water table results in rainwater backing up to the land surface. Storm runoff adds volume, velocity, and contaminants to surface waters.



The Siuslaw River was once the Oregon Coast's second largest coho-producing system; now salmon production is significantly diminished. The Siuslaw is "Water Quality Limited" for temperature, dissolved oxygen, fecal coliform, and sediment and is on DEQ's list of Impaired Water Bodies.

Background

- **1996-1998 Wet Period, Flooding**
- **1999 - Stormwater Planning and Public Involvement**
- **2000- Stormwater Management Plan**
- **2005 - Stormwater Code Adopted**
- **2006 - Stormwater Utility Established**
- **2009-10 Development of Stormwater Design Manual**
- **Present - Final Draft Stormwater Design Manual**

Purpose of Stormwater Management

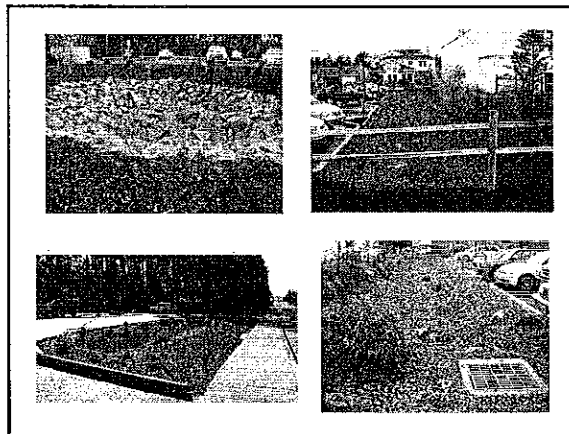
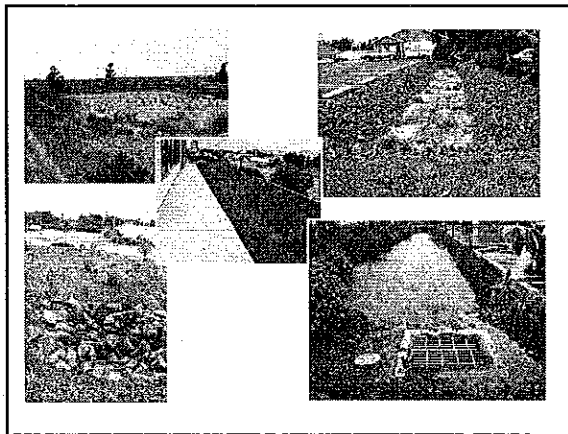
- **Reduce Flooding and Stream Erosion**
- **Protect groundwater quality**
- **Improve surface water quality**
- **Control Erosion**
- **Preserve Natural Hydrology**
- **Protect Endangered/Threatened species**

Purpose of Our Stormwater Manual

- Clarify purpose and expectations of existing regulations
- Provide a more accessible design manual than the city of Portland Stormwater manual for those less familiar with Stormwater Management Practices
- Establish a "simplified" process for smaller projects

Purpose of Our Manual Continued ...

- Create a hybrid document with requirements unique to Florence combined with established common practices in stormwater management
- Amend the Portland Manual's design requirements and standard drawings to be tailored to Florence's climate, hydrology, geology
- Clarify the permit, review, and inspection process
- Establish reasonable limits to design criteria
- Create exception/appeal process
- Provide Florence Specific forms and checklists



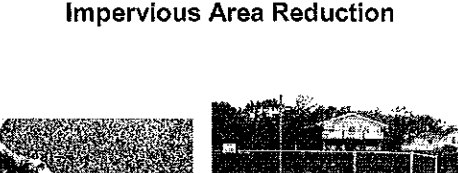
Common Stormwater Pollutants

- Metals (zinc, lead, copper etc)
- Oil and Grease
- Chemicals (pesticides, herbicides, etc)
- Sediment (turbidity)
- Nutrients (Nitrogen, Phosphorus, etc)
- Temperature
- pH
- Pathogens

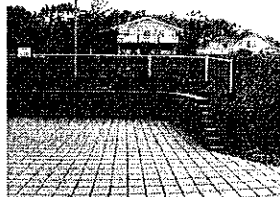
Tools for Stormwater

- Impervious Area Reduction Techniques
 - Pervious Pavement (permeable pavers, porous concrete, etc)
- Vegetative Treatment Facilities
 - Swale
 - Planter
 - Rain Garden
 - Filter Strip
- Structural Facilities
 - Soakage Trench, Drywells (Drywells require UIC permit)
 - Ponds, Tanks
 - Manufactured Treatment Technologies (treatment manholes, vaults etc)


Impervious Area Reduction



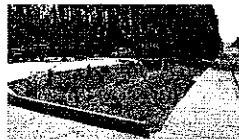
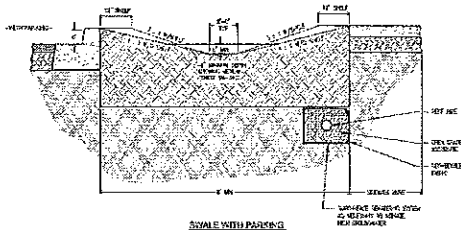
The left photograph is a close-up, black and white image of a snake, likely a garter snake, moving across a rough, textured surface that appears to be grass or gravel. The snake's body is curved, and its head is pointed towards the right. The right photograph is a black and white image of a paved patio area. The patio is made of rectangular pavers arranged in a grid pattern. In the background, there is a low wall, a fence, and several houses with gabled roofs. The overall scene suggests a residential outdoor space.



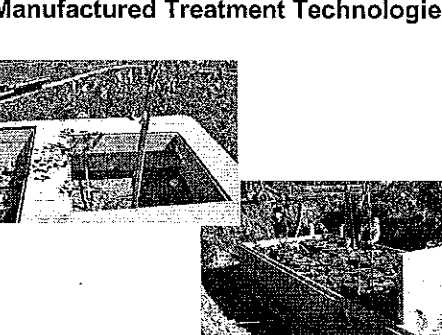
Vegetative Treatment Facilities



The figure consists of four black and white photographs arranged in a 2x2 grid, illustrating vegetative treatment facilities. The top-left photo shows a rectangular vegetative treatment bed with a concrete curb, surrounded by a gravel area and trees. The top-right photo shows a vegetative treatment bed with a concrete curb, with a car parked nearby. The bottom-left photo shows a vegetative treatment bed with a concrete curb, with a gravel area and trees. The bottom-right photo is a close-up view of a vegetative treatment bed with a concrete curb, showing dense vegetation.

[illegible]

Manufactured Treatment Technologies



The top photograph shows a large, rectangular concrete structure, likely a clarifier or aeration tank, with a central vertical shaft and a surrounding walkway. The bottom photograph shows a large, rectangular concrete structure, likely a clarifier or aeration tank, with a central vertical shaft and a surrounding walkway.

