

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 14 24 EAP 02

A REQUEST FOR A ONE-YEAR EXTENSION TO THE APPROVED CONDITIONAL USE PERMIT FOR THE U.S. COAST GUARD STATION RIP RAP REVETMENT INSTALLATION, 4255 COAST GUARD ROAD, ASSESSORS MAP # 18-12-15-33 TAXLOT 00600.

WHEREAS, application was submitted by Roy Clark, representing the U.S. Coast Guard, for an extension to the approved Coast Guard Rip Rap Conditional Use Permit, Resolution PC 13 09 CUP 03, as required by FCC 10-1-1-5 and FCC 10-4-8; and

WHEREAS, the Planning Commission/Design Review Board met in a duly-advertised public hearing on January 27, 2015 as outlined in Florence City Code 10-1-1-5, to consider the application, evidence in the record, and testimony received; and

WHEREAS, the Planning Commission/Design Review Board determined per FCC 10-4-8, after review of the application, testimony and evidence in the record, that the application meets the criteria; and

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

NOW THEREFORE BE IT RESOLVED that the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact and the evidence in record, that the request for a one-year extension to the approved U.S. Coast Guard Conditional Use Permit meets the applicable criteria of the Florence City Code.

The Planning Commission approves the request for a one-year extension of Resolution PC 13 09 CUP 03.

1. Approval shall be shown on:

 ”A” *Findings of Fact*

 ”B” Application for Extension

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

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees

to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval prior to issuance of a building permit.

3. The applicant shall abide by the Conditions of Approval of the previous land use approvals regarding the Coast Guard rip rap project, namely PC 14 09 CUP 03, except where those approvals conflict with this extension of approval periods, PC 14 25 EAP 03.
4. The Conditional Use Permit deadline with this extension shall be one year from this date, ending on January 27, 2016.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 27th day of January, 2015.

CHERYL HOILE, Chairperson
Florence Planning Commission

DATE

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

Public Hearing Date:	January 27, 2015	Planner:
Date of Report:	January 20, 2015	Glen Southerland
Application:	PC 14 24 EAP 02	

I. PROPOSAL DESCRIPTION

Proposal: A request for an extension, ending January 27, 2016, for the approved conditional use permit for the Coast Guard Station rip rap revetment installation.

Applicant: Roy Clark, representative for the U.S. Coast Guard

Property Owner: Department of Homeland Security / U.S. Coast Guard

Location: 4255 Coast Guard Road
Map 18-12-15-33 Taxlot 00600

Comprehensive Plan Map Designation: Low Density Residential

Zone Map Classification: Single-Family Residential (SFR)

Surrounding Land Use / Zoning:

Site:	Florence U.S. Coast Guard Station / SFR
North:	Single-Family Residences/Shelter Cove / SFR
South:	Single-Family Residences/Sea Watch Estates / SFR
East:	Undeveloped (Sandpines West) / SFR
West:	Siuslaw River / Conservation Estuary

Streets / Classification:

East – Rhododendron Drive / Minor Arterial; North – Eden Lane / Local; West – None; South – Coast Guard Road / Local

II. NARRATIVE:

The Conditional Use Permit (PC 13 09 CUP 03) for revetment installation was approved January 14, 2014. The approval period for the Conditional Use Permit expires January 14, 2014. The applicant applied for extension of this approval period on November 13, 2014.

U.S. Coast Guard representative Roy Clark stated that the additional time was required to both obtain permitting and to complete the work during an appropriate in-water work period.

III. NOTICES & REFERRALS:

Notice: On January 5, 2015 notice was mailed to surrounding property owners within 300 feet of the site. Notice was published in the Siuslaw News on January 21, 2015.

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

Referrals: On January 8, 2015 referrals were sent to the Florence Building Department; Florence Public Works; Florence Police Department; Oregon Department of State Lands, Oregon Department of Fish and Wildlife, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

At the time of this report, the City has received a response from Chief Lynn Lamm of the Florence Police Department. Chief Lamm had no concerns with the project.

IV. APPLICABLE REVIEW CRITERIA

Florence City Code, Title 10:

Chapter 1: Zoning Administration, Section 1-5

Chapter 4: Conditional Uses, Section 8

V. PROPOSED FINDINGS

FLORENCE CITY CODE

TITLE 10: CHAPTER 4: CONDITIONAL USES

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

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

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

1. The request for an extension is made in writing prior to expiration of the original approval.
2. There are special or unusual circumstances that exist which warrant an extension.

3. **No material changes of surrounding land uses or zoning has occurred.**

The Planning Commission may deny the request for an extension of a conditional use if new land use regulations have been adopted that affect the applicant's proposal. (Ord. 26, 2008)

The applicant has requested an extension for the approved Coast Guard rip rap revetment Conditional Use Permit. The applicant requested this extension on November 13, 2014, prior to the original expiration date of January 14, 2015.

The applicant has requested this extension because the Coast Guard has not yet been able to obtain permitting from other agencies for the revetment project. The extension is also needed in order to perform in-water work during the next in-water work period, lasting from November 1, 2015 to February 15, 2016.

Surrounding land uses and zoning have not changed since the original approval of the project. There are no material changes of surrounding land uses or zoning occurring in the foreseeable future.

VI. ALTERNATIVES

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

VII. CONCLUSIONS AND RECOMMENDATIONS

Staff finds that the proposed application meets the requirements of City Code with the conditions of approval outlined below, and recommends that the Planning Commission approve the extension of granted approval for the Coast Guard Conditional Use Permit.

VIII. CONDITIONS OF APPROVAL

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

1. Approval shall be shown on:

"A" *Findings of Fact*

"B" Application for Extension

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

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval prior to issuance of a building permit.
3. The applicant shall abide by the Conditions of Approval of the previous land use approvals regarding the Coast Guard rip rap project, namely PC 14 09 CUP 03, except where those approvals conflict with this extension of approval periods, PC 14 25 EAP 03.
4. The Conditional Use Permit deadline with this extension shall be one year from this date, ending on January 27, 2016.

IX. EXHIBITS

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

CITY OF FLORENCE

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

APPLICATION FOR AN EXTENSION OF TIME

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

Resolution Number: PC 13 09 CUP 03 Original Expiration Date: January 28, 2015
PC Approval Date: January 28, 2014 Revised Expiration Date: _____

APPLICANT INFORMATION

Applicant: U.S. Coast Guard Phone: 510 637-5512
Address: 1301 Clay Street, Suite 700N, Oakland, CA 94612
Agent: _____ Phone: _____
Address: _____
Property Owner: _____ Phone: _____
Address: _____

PROPERTY DESCRIPTION

Property Location (address, description of properties located directly north, south east and west):
USCG Station Siuslaw River, 4255 Coast Guard Rd, Florence, OR
The properties to the north and south are residential. To the east is
N. Rhododendron Drive and a parking lot. To the west is the Siuslaw
River.

Map Number: 18-12-15-33 **Lot Size:** _____
Tax Lot: 18-12-15-33-006000 **Zoning Designation:** RS

REQUEST DESCRIPTION

Basis for extension request (please be specific):
The Coast Guard has not completed the permitting process for the proposed
work.

DECISION

Approved / Denied

Planning Commission Chairman

Community Services Director

EXHIBIT B