

**CITY OF FLORENCE
PLANNING COMMISSION**

RESOLUTION PC 15 13 CUP 08

A REQUEST FOR A CONDITIONAL USE PERMIT AND DESIGN REVIEW, to change use to include theatre use with the existing church use and remodel the existing building with a 460 square foot addition, located at 509 Kingwood St., Florence, OR, Assessor's Map 18-12-27-43 TL 06100, in the Single Family Residential District.

WHEREAS, application was made by David and Rosemary Lauria for a Conditional Use and Design Review as required by FCC 10-1-1-4, FCC 10-4-4, and FCC 10-6-6, and

WHEREAS, the Planning Commission/Design Review Board met in a public hearing on July 14, 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 10-4-10 and FCC 10-1-1-5-E, after review of the application, findings of fact, testimony and evidence in the record, as per FCC 10-6-6, 10-6-7, FCC 10-4-5, and FCC 10-4-6, that the application meets the criteria through compliance with certain Conditions of Approval; and

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 evidence in record:

The request for Conditional Use and Design Review Permits to change use to include theatre use with the existing church use and remodel the existing building with a 460 square foot addition meets or meets with conditions the applicable criteria in Florence City Code and the Florence Realization 2020 Comprehensive Plan. The Planning Commission approves the conditional use permit with the conditions listed below:

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 for shall be shown on:

- “A” Findings of Fact
- “B” Site Plan
- “C” Addition Floor Plan

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 applicants agree 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 applicants 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. Should the building stop occupancy and thus not require any parking use for a period of 6 consecutive months it shall constitute abandonment and on-site parking shall be constructed in accordance with FCC 10-3 for any future occupancy.
4. The applicants shall provide accurate evidence of the southern property corners such as presence of surveyor pins or measurements off an adjacent surveyor's pin prior to starting construction.
5. Vegetation along the northern property line shall remain on the site unless approved for removal or reduction through a future land use action at which time it shall meet the 15/6/35 requirement unless a lesser amount is permitted by code or PC.
6. The applicants shall provide ADA parking in compliance with International Building Code as directed by the Building Official.
7. The applicants shall provide a minimum of two bicycle parking spaces meeting the location, design, and security and lighting standards in 10-3-10.
8. Required landscaping shall be illustrated on a plan and submitted prior to issuance of building permits and meet the criteria in 10-34-3-2.
9. The applicants shall plant a minimum of 2 trees and 12 shrubs on-site within 20 feet of the property lines unless a plan is provided that illustrates the presence of 8 trees and 48 shrubs within the same area. Plantings shall cover a minimum of 70% of the required landscape area within 5 years of planting. New plants and trees shall be pocket-planted with a soil-compost blend to ensure healthy growth. Plant selections shall meet the criteria of FCC 10-34-3-4 for all new plantings.
10. New plantings shall be irrigated unless deemed a drought tolerant plant through the Tree and Plant List. The applicants shall perform temporary irrigation until the plant has become established or an irrigation system has been installed. The applicants shall install landscaping prior to final occupancy of the building and it shall be maintained in accordance with 10-34-3-8.
11. The pedestrian walkways on-site and the ADA access at the northwest intersection of Rhody and Kingwood St. shall be brought up to current standards in accordance with FCC 10-35-3. Walkways shall connect to designated bicycle parking area in accordance with 10-35-2-9. If the driveway curbcut on Rhody Dr. is needed for ADA parking stall access then it shall be brought up to current code. Facility permits are required prior to work in the public right-of-way.

12. The applicants shall install lighting meeting current code standards and bring all existing lighting fixtures up to current code standards, if they do not already meet the requirements of FCC 10-37. The applicants shall submit a lighting plan or photos illustrating the presence of soffit lighting with his building permit application. Any changes in lighting if proposed or required shall be illustrated on plans and indicate the type, brightness, height, and number of lamps and luminaires.
13. The applicants shall ensure the patrons, congregation, and performers are aware of the site's location within a residentially zoned area and ensure conduct and noise levels outside the building are in keeping with the intended residential character of the neighborhood.
14. All trash and recycling containers shall be stored indoors or be screened from the public by a solid fence, wall or landscaping.

Informational

1. If either the alley or the existing curbcut on Rhody Dr. are proposed to be used improvements to those facilities are required prior to their use. They shall meet current standards outlined in 10-35 & 10-36 and a facility application shall be made to Public Works prior to starting construction of their improvement.
2. In keeping with the set coastal theme applied to all design reviews, the building colors shall be compatible with the surrounding building colors and consist of muted neutral earth tones. Trim and roofing may be darker. Any painting for the building now or in the future shall be reviewed and approved prior to commencement.

ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD the 14th day of July 2015.

CURT MUILENBURG, Chairperson
Florence Planning Commission

DATE

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

Public Hearing Date: July 14, 2015 **Planner:** Wendy FarleyCampbell
Date of Report: July 7, 2015
Application: PC 15 13 CUP 08

I. PROPOSAL DESCRIPTION

Proposal: An application for Conditional Use Permit and Design Review Permit to change use to include theatre use with the existing church use and remodel the existing building with a 460 square foot addition.

Applicants: David and Rosemary Lauria

Property Owner: David and Rosemary Lauria

Location: 509 Kingwood St.

Site: Map # 18-12-27-43, Tax Lot 06100

Comprehensive Plan Map Designation: Medium Density

Zone Map Classification: Single Family Residential

Surrounding Land Use/Zoning:

Site: Church / Single Family Residential (RS)

North: Single Family Residence / RS

South: Single Family Residence / RS

East: Retail Service (Surveying Office) / Mainstreet District, Area B

West: Duplex & Single Family Residence / RS

Streets/ Classification: South—Rhododendron Dr. / Collector, East—Kingwood St. / Collector, West—alley

II. NARRATIVE:

The applicants request a conditional use and design review application to construct a 460 sq. ft. addition on the south side of the existing church building located at the NW corner of Rhododendron Dr. and Kingwood St. The applicants also propose to change uses by adding theater use to the existing church use.

The building was constructed in 1979 and the site has not received any land use permits. Pedestrian traffic accesses the site from Kingwood St. and there is no vehicular parking on the site. The existing structure is 1754 sq. ft. with a 96 sq. ft. covered front entry. The

interior consists of a lobby and fixed seating area with dressing rooms and a single restroom. The applicants proposes to add a utility room, men's, women's, and ADA restrooms and an expanded lobby.

After the Lauria's purchased the building from the Christian Science Society they continued the pre-existing church use of the building. They propose to continue use of the facility for church use in addition to the theater use. Churches are conditionally approved in the Single Family Residential District. The 460 sq. ft. enclosed addition constitutes a greater than 25% increase of a conditional use thus requiring a conditional use permit from Planning Commission.

III. NOTICES & REFERRALS:

Notice: On June 23, 2015 notice was mailed to surrounding property owners within 300 feet of the property and signs were posted on the property. Notice was published in the Siuslaw News on July 8, 2015.

As of the date of this report no written or verbal testimony was received.

Referrals: On June 22, 2015 referrals were sent to the Florence Building Department, Florence Police Department, Florence Public Works, ODOT and Siuslaw Valley Fire and Rescue and Central Lincoln PUD.

As of the date of this report the following written referral comments were received:

Sean Barrett, Fire Marshall, email dated June 23, 2015 stated that SVFR had no concerns with the addition but stated that emergency lighting and signage would be addressed and required at building permit issuance. **(Informational 3)**

No other written or verbal comments were received.

IV. APPLICABLE REVIEW CRITERIA

Florence City Code (FCC) Title 10:

(found at <http://www.ci.florence.or.us/council/title-10-zoning-regulations>)

Chapter 1: Zoning Administration, Section 5

Chapter 3: Off Street Parking & Loading, Sections 2 through 5, 8 through 10

Chapter 4: Conditional Uses, Sections 5, 8, 10 through 12A

Chapter 6: Design Review, Section 5, 6, 7 & 9

Chapter 8: Nonconforming Lots and Uses, Sections 1, 2, 5, 6, & 7

Chapter 11: Single Family Residential, Sections 3 through 5

Chapter 34: Landscaping, Sections 3 through 5

Chapter 35: Access and Circulation, Sections 2-9, 2-12-D, 2-14 & 3-1 through 3-4

Chapter 36: Public Facilities, Section 3

Chapter 37: Lighting, Sections 2 through 4, & 7

Realization 2020 Florence Comprehensive Plan:

(found at <http://www.ci.florence.or.us/planning/comprehensive-plan>)

V. FINDINGS-Code criteria are listed in **bold**, with staff response beneath. Only applicable criteria have been listed.

FLORENCE CITY CODE

TITLE 10: CHAPTER 8: NONCONFORMING LOTS & USES

10-8-1: PURPOSE: There were lots, structures and uses that were lawful before the effective date hereof, or amendment hereto, but which have become either prohibited, regulated or restricted under the new terms and conditions of this Title. They shall hereafter be referred to as pre-existing, nonconforming uses or buildings.

It is recognized that significant expenditures of personal and financial energy may have been invested in the development of such uses and structures and that to dismiss these expenditures as no longer relevant would be harmful to the public welfare, both in regards to the community harmony and with respect to support that will be needed to improve the quality, esthetics and functional aspects of the community.

It is therefore the intent of this Chapter to allow these structures and uses that existed prior to the effective date hereof to continue, including normal maintenance, repair or replacement in case of damage due to fire or other disaster.

The church building was constructed in 1979 and does not have any on-site parking. For at least the last 20 years on-site parking has been required for non-residential uses. The absence of on-site parking is a pre-existing non-conforming use. A parking analysis later in the report finds that as many as 15 parking spaces would have been required for the church use. The site therefore has a non-conforming use of 15 parking spaces for the existing church use.

10-8-2: EXPANSION OF PRE-EXISTING, NONCONFORMING USE: A pre- existing nonconforming use may make a normal expansion of the existing structure for the same use up to twenty five percent (25%) of the existing square footage of floor area. Expansions larger than twenty five percent (25%) require a conditional use permit issued by the Planning Commission under the terms and conditions of Chapter 4 of this Title. Any expansion of a pre- existing, nonconforming use shall be subject to design review under the provisions of Chapter 6 of this Title.

The applicants propose to add 460 sq. ft. of enclosed building space for the placement of restrooms, lobby expansion and utility room uses. The expansion constitutes a 26% increase of the existing square footage of floor area and thus requires a conditional use permit and is subject to design review.

10-8-5: ABANDONMENT OF NONCONFORMING USE: The discontinuance of a nonconforming use for any six (6) consecutive months shall constitute abandonment. The pre-existing use shall be deemed to have been terminated and

every building, structure and use occupying the premises thereafter shall conform to the regulations of the zoning district in which is located.

The Christian Science Society during the sale of the property and the applicants since the purchase of the property have maintained church use within the building and have not let the pre-existing use to become discontinued for 6 consecutive months. Should the building stop occupancy and thus not require any parking use for a period of 6 consecutive months it shall constitute abandonment and on-site parking shall be constructed in accordance with FCC 10-3 for any future occupancy. **(Condition 3)**

10-8-6: CHANGE OF NONCONFORMING USES: A change from one nonconforming use to another nonconforming use requires a conditional use permit issued by the Planning Commission subject to the procedures and conditions in Chapter 4 of this Title.

The applicants propose to add community theater use to the existing church use. Both are permitted conditionally within the Single Family Residential District and thus the uses in and of themselves are not non-conforming, rather just the parking situation.

10-8-7: REMOVAL OF NONCONFORMING USES: If, after holding public hearings, the Planning Commission determines that the continuance of a nonconforming use is detrimental to the health, safety or welfare of a neighborhood, the nonconforming use shall be completely removed or converted to a conforming use within an amortization period prescribed by the City Council. The Planning Commission shall establish conditions for the operation of the nonconforming use during the amortization period (not less than 5 years nor more than 40 years, depending upon the impact the nonconforming use has on the surrounding neighborhood). The Planning Commission shall then grant a conditional use permit subject to the procedures set forth in Chapter 4 of this Title.

The Planning Commission through the July 14th hearing will make a determination about whether the lack of on-site parking is detrimental to the welfare of the neighborhood. They may prescribe conditions and recommend an amortization period to remove or convert the non-conforming use to one which is conforming (provide a prescribed number of on-site parking, arrange for a parking agreement with near-by property). Alternatively the Planning Commission may call for a hearing as prescribed under FCC 10-4 to discontinue a conditional use permit if it is found that the use is a negative impact to the neighborhood.

TITLE 10: CHAPTER 11: SINGLE-FAMILY RESIDENTIAL DISTRICT (RS)

10-11-3: BUILDINGS AND USES PERMITTED CONDITIONALLY: The Planning Commission, subject to the procedures and conditions set forth in Chapter 4 of this Title, may grant a conditional use permit for the following:

I. Churches, except rescue missions or temporary revivals.

J. Public and private parks, playgrounds, community centers and recreation facilities.

The building has a pre-existing church use. The applicants propose to add a community stage theater use to the building which most resembles a private community center and which is also permitted conditionally requiring a conditional use permit.

10-11-4: LOT AND YARD PROVISIONS:

A. Minimum Lot Dimensions: To be designated a building site, a lot must be at least fifty feet wide and at least eighty feet in depth (50' x 80'). For new subdivisions and newly platted lots, the minimum width shall be sixty-five feet (65').

The site is composed of four 26' wide lots that are 136 feet deep meeting the minimum 50' width and 80' depth criteria.

B. Minimum Lot Area: To be designated a building site, a lot must be comprised of at least six thousand (6,000) square feet. For new subdivisions and newly platted lots, the minimum square feet shall be six thousand five hundred (6500).

The site's 104' width by 136' depth equates to 14,144 sq. ft. meeting the minimum 6000 sq. ft.

C. Lot Coverage: The maximum coverage by all enclosed buildings shall not exceed thirty five percent (35%) of the lot area. The maximum coverage by all structures, driveways, parking spaces and surfaced areas shall not exceed sixty five percent (65%) of the lot area.

The existing building includes 1754 sq. ft. of enclosed building space. With the 460 sq. ft. addition the building will cover 2214 sq. ft. or 15.6% lot coverage meeting the maximum 35% enclosed building coverage criteria. No other impervious coverage is proposed.

D. Yard Regulations: Unless a variance is granted in accordance with Chapter 5 of this Title, minimum setbacks and yard regulations shall be indicated below:

1. **Front Yards:** No garage or parking structures shall be closer than twenty feet (20') from the front property line. All other buildings shall be set back at least twenty feet (20') in new subdivisions and twenty feet (20') in older, established neighborhoods.

2. **Side Yards:** A yard of not less than five feet (5') shall be maintained on each side of the lot. Corner side yards shall not be used for clotheslines, incinerators, permanent storage of trailers, boats and recreational vehicles or of any materials, nor shall said yard be used for the regular or constant parking of automobiles or other vehicles.

3. **Rear Yards:** Dwelling units shall be set back not less than ten feet (10') from the rear property line. Accessory buildings shall be set back not less than five feet (5') from the rear property line. All patio structures and swimming pools shall be a minimum of five feet (5') from any side or rear property line.

The proposed addition will match the existing building's front and rear setbacks of 26' and 60' respectively. A 5'6" southern side yard setback off Rhododendron Drive is proposed meeting the minimum 5' width. The applicants shall provide accurate evidence of the southern property corners such as presence of surveyor pins or measurements off an adjacent surveyor's pin prior to starting construction. **(Condition 4)**

10-11-5: SITE DEVELOPMENT PROVISIONS

A. Building or Structural Height Limitations:

3. Nonresidential Buildings: The maximum building or structural height shall not exceed twenty-eight feet (28').

The applicants state that the proposed addition will match the existing roof gable design and roof height. No height was provided but the height is under 20' meeting the 28' maximum height criterion.

B. Fences: See Code Section 10-34-5 of this Title.

Fences and buffers are required for all non-residential uses that abut a residential use. FCC 10-34-3-7-D states that a 15' foot landscaped buffer with fence or 35' landscaped buffer (15/6/35) is required on the north property line abutting the single family use and a 15' landscape buffer with 6' fence or 25' landscaped buffer (15/6/25) is required on the east property line abutting the duplex.

The applicants propose an addition along the southern lot line. No changes are proposed on the northern portion of the building abutting the single family residence. However, there is significant vegetation (*see right side of image below*) along the northern property line ranging from 7' to 25' deep. This vegetation shall remain on the site unless approved for removal or reduction through a future land use action at which time it shall meet the 15/6/35 requirement unless a lesser amount is permitted by code or PC. **(Condition 5)**



The addition proposed for the southern portion of the building abuts a duplex use 80' to the west (building setback and alley). There are hedges, shrubs and trees in the 60' rear yard between the building and the western property line (*see left side of image below*). Unless the vegetation is removed the existing vegetation and 80' distance to the duplex use meet the intent of the 25' vegetated buffer. If the vegetation is removed then the site shall meet the 15/6/25 buffer requirements unless lesser is permitted by code (such as parking buffering) or PC approval. No additional fences, walls, hedges, screens are proposed or

required. Staff finds that the application meets or is conditioned to meet the screening criteria found in FCC 10-6 & FCC 10-34.



C. Vision Clearance: Refer to Section 10-1-4 and 10-35-2-13 of this Title for definition, and requirements.

The applicants do not propose any changes to existing vision clearance areas (corner of Rhody and Kingwood). The vision clearance areas are free of visual obstructions; therefore, the proposal meets the criterion.

D. Off-Street Parking: Refer to Chapter 3 of this Title (Off-Street Parking and Loading)

TITLE 10: CHAPTER 3: OFF STREET PARKING

10-3-4: MINIMUM REQUIRED PARKING BY USE:

This site does not provide any on-site parking and its records related to land use and building permits are missing from the public record. In looking at the image above taken from Rhody Dr. it can be inferred based on the landscaping orientation and location that the curbcut on Rhody provided access to the area behind and west of the church. It would further appear that some sort of structure was located west of the shrubs located in the middle of the lot. If so it would make since that when the church use was approved that the westerly area was under different ownership or simply developed preventing the ability or opportunity to locate parking for the church use; as it simply does not make since even for 1979 to have not required on-site parking for any non-residential use unless land was not physically available or they were granted a variance or another type of waiver or parking arrangement.

Church approvals prior to at least 2000 required church uses provide one vehicular space for every eight feet of pew length, four fixed seats or 50 sq. ft. of assembly area. When the code changed only the “50 sq. ft. of main assembly area or as determined by the design review board” criteria was retained. There is 29’ by 24’ of main assembly area (not including any lobby area present or future or 8’ of stage width area) This equates to 696 sq. ft. requiring 14 parking spaces under the new code. The building has 60 fixed seats that were

in use by the church, requiring 15 parking spaces under the previous code. The site has 14 or 15 vehicular parking spaces that are pre-existing non-conforming for the church use.

The applicants propose to add stage theater use to the building. Under FCC 10-3-4 the theater use can be interpreted as a retail entertainment use (theater, cinema) or an auditorium use (albeit small). The associated respective parking demands are 1 space for every six seats and 1 space for every four persons of seating capacity. Staff airs on the side of the auditorium seat count criteria of one space for every four due to the following factors: census figures state that Florence households average less than 2.5 persons, much less than six or even four persons; unlike a small community theater which operates more like an auditorium (albeit smaller) and also regularly sells out, a cinema theater has multiple screens and is less likely to sell out all of its seats for multiple screens; and finally, using the "1 space for 4 seats" criteria is in keeping with the church parking criteria for the era upon which the building was constructed and used for church uses. Therefore the auditorium criteria requiring 1 vehicular space for every four seats should be used for the theater stage use. Therefore, fifteen parking spaces are needed for the proposed uses.

The two uses obviously cannot operate simultaneously to capacity. Additionally there are no office or classroom spaces upon which to have multiple ancillary uses attending at the same time. Staff therefore finds that the addition of the theater does not generate any additional vehicular parking requirements. A side note is that auditorium parking may be provided on-street within non-residential zones within 1000 feet of the use. Due to the pre-existing non-conforming parking use staff did not calculate the location or number of spaces available for the theater use within the 1000' radius. However, the street area available to meet the parking count criteria would be east of Kingwood (as it is zoned Single Family Residential) within the Mainstreet District and not within the front lot line of any property (narrowest width) or along Highway 101 as the Mainstreet District permits both those sets of properties get to count the parking in front of their lots for their uses.

10-3-5: VEHICLE PARKING - MINIMUM ACCESSIBLE PARKING:

Table 10-3-2 requires 1 accessible parking space for every 1 to 25 parking spaces provided. As discussed previously there are no on-site parking spaces provided for this use and thus no ADA spaces. Building code requires ADA compliance with an addition or alteration of 25% or more of the sq. ft. or upon certain changes in occupancy. The applicants propose an addition of 26% of the sq. ft. The applicants shall provide ADA parking in compliance with International Building Code as directed by the Building Official. (Condition 6)

10-3-10: BICYCLE PARKING REQUIREMENTS: All new development that is subject to Site Design Review, shall provide bicycle parking, in conformance with the standards and subsections A-H, below.

A. Minimum Size Space: Bicycle parking shall be on a two (2) feet by six (6) feet minimum.

B. Minimum Required Bicycle Parking Spaces. Short term bicycle parking spaces shall be provided for all non-residential uses at a ratio of one bicycle space for every ten vehicle parking spaces. In calculating the number of required spaces, fractions shall be rounded up to the nearest whole number, with a minimum of two spaces.

C. Long Term Parking. Long term bicycle parking requirements are only for new development of group living and multiple family uses (three or more units). The long term parking spaces shall be covered and secured and can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building; Multifamily= 1 per 4 units/ Group Living = 1 per 20 bedrooms/ Dormitory = 1 per 8 bedrooms.

D. Location and Design. Bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space other than handicap parking, or fifty (50) feet, whichever is less and shall be easily accessible to bicyclists entering the property from the public street or multi-use path.

E. Visibility and Security. Bicycle parking for customers and visitors of a use shall be visible from street sidewalks or building entrances, so that it provides sufficient security from theft and damage;

F. Lighting. For security, bicycle parking shall be at least as well lit as vehicle parking. Refer to Section 10-37 of this Title for requirements.

G. Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

H. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards. If bicycle parking cannot be provided safely, the Design Review Board or Community Development Director may waive or modify the bicycle parking requirements.

The use generates a need for 15 vehicular parking spaces, equating to provision of a minimum of two bicycle parking spaces meeting the location, design, security and lighting standards in 10-3-10. **(Condition 7)**

TITLE 10: CHAPTER 11: continued

E. Signs: Signs shall be in accordance with Title 4, Chapter 7 of this Code. (Ord. 4, 2011)

A sign exists at the southeast corner of the lot. Permits are not required to change the face of the sign. No signs are proposed at this time for the theater use. When signs are proposed they will be reviewed and permitted through the sign permit process with the Building Department.

F. Landscaping: Except for single-family and duplex dwellings, refer to Section 10-34 of this Title for requirements.

TITLE 10: CHAPTER 34: LANDSCAPING

10-34-3: LANDSCAPING

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 Chapter 5 and where there are conflicts, the provisions of Title 9 Chapter 5 shall prevail.

B. For modifications or additions to existing development, landscaping shall be brought up to current code requirements in the same proportion as the increase in use and/or building size. (Ord. 4, 2011)

The site was developed long before the requirement for landscaping. The applicants propose a building addition of 26%. Any required landscape improvements will be proportionate to the 26 % percent increase.

10-34-3-2: Landscaping Plan Required. A landscape plan is required. All landscape plans shall include the following information:

A. The location and height of existing and proposed fences and walls, buffering or screening materials.

B. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas.

C. The location, size, and species of the new proposed plant materials (at time of planting).

D. The location(s) of areas where existing vegetation will be cleared and the location(s) of areas where existing vegetation will be preserved, delineated on a recent aerial photo or site plan drawn to scale.

E. Existing and proposed building and pavement outlines.

F. Specifications for soil at time of planting, irrigation and anticipated planting schedule.

G. Other information as deemed appropriate by the City Planning Official.

The site is substantially landscaped with both native and planted species. Landscaping is required as indicated and reviewed below. A landscaping plan shall be submitted prior to issuance of building permits and meet the criteria in 10-34-3-2. **(Condition 8)**

10-34-3-3: Landscape Area and Planting Standards. The minimum landscaping area is 15% of the lot area, unless specified otherwise in the applicable zoning district for the proposed use. This required minimum landscaping area may be reduced if preservation credits are earned as specified in Section 10-34-2-4.

The site is covered with 16% building coverage. The majority of the remaining site is truly landscaped with lawn, shrubs, hedges, and trees. The 15% landscape coverage is met.

A. Landscaping shall include planting and maintenance of the following:

1. One tree per 30 lineal feet as measured along all lot lines that are adjacent to a street.

2. Six shrubs per 30 lineal feet as measured along all lot lines that are adjacent to a street.
3. Living plant materials shall cover a minimum of 70 percent of the required landscape area within 5 years of planting.
4. Except for preservation of existing significant vegetation, the required plant materials on-site shall be located in areas within the first 20 feet of any lot line that abuts a street. Exceptions may be granted where impracticable to meet this requirement or the intent is better served. Required trees may be located within the right-of-way and must comply with Section 10-34-4. Plant materials may be installed in any arrangement and do not need to be equally spaced nor linear in design. Plantings and maintenance shall comply with the vision clearance standards of FCC 10-35-2-13.
5. Pocket-planting with a soil-compost blend around plants and trees shall be used to ensure healthy growth.

The site is a corner lot and thus has many linear feet of street frontage, specifically 240' feet. This generates a requirement for 8 trees and 48 shrubs. If the site contains 8 trees and 48 shrubs within 20 feet of the street fronting property lines then no further landscaping is required. However, if the number or location of the landscaping falls short then the number of plants to be installed to meet the proportionate 26% share is 2 trees and 12 shrubs (62 linear feet=26%).

It appears that the site consists of approximately four trees and an uncountable number of shrubs within the perimeter of the site. However, the countable species must be on-site within 20 feet of the street fronting property line, except trees which may be within the right-of-way.

The applicants shall plant a minimum of 2 trees and 12 shrubs on-site within 20 feet of the property lines unless a plan is provided that illustrates the presence of 8 trees and 48 shrubs. Plantings shall cover a minimum of 70% of the required landscape area within 5 years of planting. New plants and trees shall be pocket-planted with a soil-compost blend to ensure healthy growth. **(Condition 9)**

10-34-3-4: Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, existing native vegetation, outdoor hardscape features and storm water features, as described below.

A. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used, consistent with the purpose of this Chapter. A suggested Tree and Plant List for the City of Florence and the Sunset Western Garden Book are available at City Hall. The selection of plant and tree species shall be based upon site conditions such as wind and sun exposure, space limitations, water availability, and drainage conditions. The use of indigenous plants is encouraged, and may be required where exposure, slope or soil conditions warrant.

1. **Ground Cover.** Ground cover may consist of separate plants or mowed grass turf. Ground cover plant species shall meet the following minimum standards: plants from 4-inch pots shall be spaced a maximum of 18 inches measured on center, and 1-2 gallon size plants shall be spaced a maximum of 3 feet measured on center.
2. **Shrubs.** Shrub plant species shall be planted from 3 gallon containers unless otherwise specified in the Tree and Plant List for the City of Florence.
3. **Trees.** Evergreen and deciduous tree species shall meet the following minimum standards: deciduous trees shall be a minimum of 1 ¾ inch caliper (diameter) measured 6 inches above grade, and evergreen trees shall be a minimum of 5 feet tall (Nursery Grade 5/6).
4. **Non-plant Ground Covers.** Bark dust, chips, aggregate, or other non-plant ground covers may be used. Non-plant ground cover located adjacent to pedestrian ways shall be confined to the material within the planting bed to avoid safety hazards by edging 4 inches above-grade or recessing from grade. Non-plant ground covers cannot be a substitute for ground cover plants.

The applicants shall meet the criteria of FCC 10-34-3-4 for all new plantings. **(Condition 9)**

10-34-3-5: Irrigation. Permanent, underground irrigation is required for all landscaping, except existing native vegetation that is preserved in accordance with the specifications of Section 10-34-2-2 and new drought tolerant plants which must have temporary irrigation for plant establishment. All irrigation systems require an irrigation permit and shall be installed with a backflow prevention device per FCC 9-2-3-5.

10-34-3-8: Maintenance. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., native Rhododendron replaces native Rhododendron, evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.) within six (6) months of their dying or removal, whichever comes first. All man-made features required by this Code shall be maintained in good condition, or otherwise replaced by the owner within six (6) months of any such feature being removed or irreversibly damaged (whichever comes first).

New plantings shall be irrigated unless deemed a drought tolerant plant through the Tree and Plant List. The applicants shall perform temporary irrigation until the plant has become established or an irrigation system has been installed. The applicants shall install landscaping prior to final occupancy of the building and it shall be maintained in accordance with 10-34-3-8. **(Condition 10)**

G. Access and Circulation: Refer to Section 10-35 of this Title for requirements.

Pedestrian access is available from both Rhododendron Dr. and Kingwood St. via narrow on-site sidewalks stemming from sidewalks along both street frontages. FCC 10-35-3-1 & 10-35-3-3-C require upon an expansion of 25% or more sidewalks and internal walkways to be brought up to current standards which is a minimum of 5' wide and provision of ADA slope and connectivity standards. The pedestrian walkways on-site and the ADA access at

the northwest intersection of Rhody and Kingwood St. shall be brought up to current standards in accordance with FCC 10-35-3. Walkways shall connect to designated bicycle parking area in accordance with 10-35-2-9. If the driveway curbcut on Rhody Dr. is needed for ADA parking stall access then it shall be brought up to current code as well. Facility permits are required prior to work in the public right-of-way. **(Condition 11)**

H. Public Facilities: Refer to Section 10-36 of this Title for requirements.

The existing structure has pre-existing utility services connected. Additionally, 5' sidewalks are provided along both street frontages. No additional services are required. If the applicants intend on using either the alley or the existing curbcut on Rhody Dr. improvements to those facilities are required prior to their use. They shall meet current standards outlined in 10-35 & 10-36 and a facility application shall be made to Public Works prior to starting construction of their improvement. **(Informational 1)**.

I. Lighting: Refer to Section 10-37 of this Title for requirements.

TITLE 10: CHAPTER 37: LIGHTING

10-37-2: APPLICABILITY: Section 10-37 applies to installation of all lighting fixtures as of the effective date of this Ordinance, except as exempted by provision of this Ordinance. Devices include but are not limited to, lights for: buildings and structures, recreational areas, parking lot and maneuvering areas, landscape areas, streets and street signs, product display areas, building overhangs and open canopies, holiday celebrations, and construction lights.

B. Major Additions or Alterations - If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:

- 1. Additions of 26 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.**
- 2. Single or cumulative additions, modification or replacement of 25 percent or more of installed exterior lighting luminaires existing as of the effective date of this Ordinance.**
- 3. Existing lighting on sites requiring a conditional use permit or variance after the effective date of this ordinance.**

C. Amortization - On or before 10 years from the effective date of this code, all outdoor lighting shall comply with this Code. Most outdoor lighting will be fully depreciated at the end of 10 years if not sooner. "Easy fixes" such as re-aiming or lowering lumen output of lamps is recommended in advance of the effective date of the ordinance. Where lighting is judged to be a safety hazard immediate compliance is required.

The proposed theater use is a conditional use permit and it also includes addition of 460 sq. ft. or 26% of sq. ft. to the existing 1754 sq. ft. of enclosed church building. The applicants meet the criteria for the consideration of the entire site for lighting review. The applicants shall install lighting meeting current code standards and bring all existing lighting fixtures up to current code standards, if they do not already meet the requirements of FCC 10-37. (Condition 12)

10-37-3: LIGHTING PLANS REQUIRED: All applications for building permits and land use planning review which include installation of exterior lighting fixtures, not exempted, shall include the number of luminaires, the number of lamps in each luminaire, a photometric report for each type of luminaire and a site plan with the photometric plan of the lumen output.

The City shall have the authority to request additional information in order to achieve the purposes of this Ordinance.

The applicants verbally confirmed the current use of soffit lights. The applicants shall submit a lighting plan or photos illustrating the presence of soffit lighting with his building permit application. Any changes in lighting if proposed or required shall be illustrated on plans and indicate the type, brightness, height, and number of lamps and luminaires. (Condition 12)

10-37-4: LIGHTING STANDARDS:

A. All exterior lighting fixtures subject to this code section must be designed as a full cut-off fixture or have a shielding method to direct light emissions downward below the horizontal plane onto the site and does not shine illumination or glare skyward or onto adjacent or nearby property.

B. Parking areas shall have lighting to provide at least two (2) foot-candles of illumination at any point in the entire lot with a maximum of five (5) footcandles over parking spaces and walkways. The Design Review Board may decrease the minimum if the applicant can provide documentation that the overall parking lot has adequate lighting. The Design Review Board may increase the maximum on a case-by-case basis, with no greater than 7 foot-candles measured directly under the light fixture.

C. Lighting in or adjacent to residential zones or residential uses shall not exceed twenty feet in height as measured from the adjacent grade to the top of the light fixture. Heights in other zoning districts shall not exceed 25 feet unless the Design Review Board adopts findings that the higher light fixtures are necessary to achieve proper illumination levels.

D. Main exterior lights for commercial, institutional, and industrial buildings, landscaping and parking lots shall be extinguished at end of business hours with a minimum lighting remaining for personal and building security and safety after hours.

E. A thirty-day review period beginning with the first day in business using the new lighting system shall be required to evaluate and adjust illumination levels of

lighting. The City may ask for lighting to be adjusted in this time period based on public comments or staff inspections.

F. All externally lit commercial signs should shine from the top and point down toward the ground. Signs with uplighting must be shielded so that illumination is restricted to the sign face and glare is eliminated.

Any exterior lighting to include building and signage lighting shall meet the requirements of FCC 10-37-4.

TITLE 10: CHAPTER 6: DESIGN REVIEW

10-6-5: General Criteria: The Design Review Board may require any of the following conditions it deems necessary to secure the purpose and intent of this Chapter...The Board shall consider the following criteria reviewing applications and may set conditions or standards which regulate and limit the following: (Ord. 680, 1-11-83)

- A. Visual buffers, setbacks, yards, coverage, height, density and similar design features.**
- B. Lot area, dimensions and percentage of coverage.**
- C. Installation and maintenance of fences, walls, hedges, screens and landscaping according to standards set forth in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.**
- D. The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards set forth in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.**

All of the above criteria were discussed in section 10-10 above and either meet or were conditioned to meet the applicable criteria.

E. Noise, vibration, smoke, dust, odor, light intensity and electrical interference's.

The site is located on the eastern edge of the area's Single Family Residential District and borders the Mainstreet Area B District (a transition zone between residential and commercial). The existing church and proposed theater uses are uses that should not cause vibration, smoke, dust, odor, light intensity, or electrical interferences inconsistent with a residential district. The applicants shall ensure the patrons, congregation, and performers are aware of the site's location within a residentially zoned area and ensure conduct and noise levels outside the building are in keeping with the intended residential character of the neighborhood. **(Condition 13)**

F. Parking and outside display areas, dimensions, surfacing and on-site traffic circulation according to standards set forth in FCC 10-3 Parking and Loading.

No storage, display or sale of used building materials, scrap or salvage, manufacturing, compounding, processing or treating of products for wholesales are proposed. No change producing dust, smoke, vibration or appearance is proposed.

G. Architectural quality and aesthetic appearance, including compatibility with adjacent buildings.

The addition is proposed to match the existing building's appearance.

H. Color, building materials and exterior appearance in accordance with the policies established by the City in the Downtown Implementation Plan, and in applicable zoning districts.

The proposed addition will match the existing building's materials and exterior appearance. In keeping with the set coastal theme applied to all design reviews, the building colors shall be compatible with the surrounding building colors and consist of muted neutral earth tones. Trim and roofing may be darker. Any painting for the building now or in the future shall be reviewed and approved prior to commencement. **(Informational 2)**

I. Exterior lighting and security.

J. Public health, safety and general welfare.

The site plan does not illustrate the location of any trash enclosures. All trash and recycling containers shall be stored indoors or be screened from the public by a solid fence, wall or landscaping. **(Condition 14)** Staff has reviewed the public health, safety and general welfare in other parts of this report and has either made positive findings or conditions. No other public health, safety, or general welfare concerns are found.

K. Requiring a time period within which the proposed use or portions thereof shall be developed.

The design review approval remains valid for one year from the date of the Planning Commission's approval. If construction does not commence and a foundation poured within one year the design review shall expire. The applicants are advised to apply to the Planning Commission for an extension of time prior to that deadline if meeting it is of concern.

L. Requiring bonds to insure performance of special conditions. (Ord. 625, 6-30-80)

Staff finds that no bonds to insure performance of special conditions are needed.

M. Such other conditions as are necessary to implement policies contained in the Florence Comprehensive Plan. (Ord. 680, 1- 11-83)

REALIZATION 2020 FLORENCE COMPREHENSIVE PLAN

Chapter 1: Citizen Involvement, Policies 4 and 5

4. Official City meetings shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen 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.

The Planning Commission hearing was publicized in accordance with state and city requirements. The staff report, application materials and meeting minutes are or will be available at City Hall and are available to the public upon request.

TITLE 10-6-5: GENERAL CRITERIA (continued)

10-6-9: LAPSE OF DESIGN REVIEW APPROVAL: Authorization of a design review permit shall be void one (1) year after the date of approval of a design review application, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Substantial construction shall be considered to be completion of a building foundation. The applicant may apply to the Planning Commission for a one-time extension of one (1) year maximum duration based on compliance with the following criteria:

A. The request for an extension is made in writing prior to expiration of the original approval.

B. There are special or unusual circumstances that exist which warrant an extension.

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

The Planning Commission may deny the request for an extension of a design review permit if new land use regulations have been adopted that affect the applicant's proposal.

These criteria are addressed above.

TITLE 10: CHAPTER 4: CONDITIONAL USES

10-4-10: GENERAL CRITERIA: A conditional use permit may be granted only if the proposal conforms to all the following general criteria: (Ord. 669, 5-17-82)

A. Conformity with the Florence Comprehensive Plan.

B. Compliance with special conditions established by the Planning Commission to carry out the purpose of this Chapter.

C. Findings that adequate land is available for uses which are permitted outright in the district where the conditional use is proposed. Available land can be either vacant land or land which could be converted from another use within the applicable zoning district. Land needs for permitted uses may be determined through projections contained in the Florence Comprehensive Plan or other special studies.

D. Conditional uses are subject to design review under the provisions of Chapter 6 of this Title, except single family and duplex residential use. (Ord. 625, 6-30-80) See Code Section 10-6-3 for Design Review requirements.

E. Adequacy of public facilities, public services and utilities to service the proposed development.

F. Adequacy of vehicle and pedestrian access to the site, including access by fire, police and other vehicles necessary to protect public health and safety. (Ord. 669, 5-17-82).

Applicable Comprehensive Plan policies are reviewed above. There are many vacant, under-developed, and run-down neglected residential properties in the immediate area of the proposed use. Continuing and expanding this use that brings people together in a shared experience of the arts or religion west of Highway 101 may bring some revitalization

to the area and spur redevelopment of the area. The Design Review criteria were reviewed above and included utilities, facilities, vehicle and pedestrian access. Both the Siuslaw Valley Fire and Rescue and the Florence Police were sent notification of this application. No concerns were received.

Compatibility-The applicants propose to continue the church use and add community stage theater use. Past church parishioner counts are unknown but the city has no records of complaints or negative impacts to the neighboring properties because of the church use and their lack of on-site parking.

Access-There are no changes to the vehicular access to the site and improvements to the pedestrian access are required.

Utilities- The necessary utility systems and public facilities are existing and operational. The Fire Marshal did not indicate a problem with fire access to or through the site. There is adequate public utility provision to the site

The proposed use will not produce additional noise, vibration, smoke, or dust. The applicants indicate that they meet current dark sky standards.

VI. ALTERNATIVES

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

VII. CONCLUSIONS AND RECOMMENDATIONS

Staff finds that the proposed application meets the requirements of City Code with conditions, and recommends approval of the conditional use permit and design review subject to the following conditions.

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 for shall be shown on:**

“A” Findings of Fact

“B” Site Plan

“C” Addition Floor Plan

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 applicants agree 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 applicants 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. Should the building stop occupancy and thus not require any parking use for a period of 6 consecutive months it shall constitute abandonment and on-site parking shall be constructed in accordance with FCC 10-3 for any future occupancy.
4. The applicants shall provide accurate evidence of the southern property corners such as presence of surveyor pins or measurements off an adjacent surveyor's pin prior to starting construction.
5. Vegetation along the northern property line shall remain on the site unless approved for removal or reduction through a future land use action at which time it shall meet the 15/6/35 requirement unless a lesser amount is permitted by code or PC.
6. The applicants shall provide ADA parking in compliance with International Building Code as directed by the Building Official.
7. The applicants shall provide a minimum of two bicycle parking spaces meeting the location, design, and security and lighting standards in 10-3-10.
8. Required landscaping shall be illustrated on a plan and submitted prior to issuance of building permits and meet the criteria in 10-34-3-2.
9. The applicants shall plant a minimum of 2 trees and 12 shrubs on-site within 20 feet of the property lines unless a plan is provided that illustrates the presence of 8 trees and 48 shrubs within the same area. Plantings shall cover a minimum of 70% of the required landscape area within 5 years of planting. New plants and trees shall be pocket-planted with a soil-compost blend to ensure healthy growth. Plant selections shall meet the criteria of FCC 10-34-3-4 for all new plantings.
10. New plantings shall be irrigated unless deemed a drought tolerant plant through the Tree and Plant List. The applicants shall perform temporary irrigation until the plant has become established or an irrigation system has been installed. The applicants shall install landscaping prior to final occupancy of the building and it shall be maintained in accordance with 10-34-3-8.

11. The pedestrian walkways on-site and the ADA access at the northwest intersection of Rhody and Kingwood St. shall be brought up to current standards in accordance with FCC 10-35-3. Walkways shall connect to designated bicycle parking area in accordance with 10-35-2-9. If the driveway curbcut on Rhody Dr. is needed for ADA parking stall access then it shall be brought up to current code. Facility permits are required prior to work in the public right-of-way.
12. The applicants shall install lighting meeting current code standards and bring all existing lighting fixtures up to current code standards, if they do not already meet the requirements of FCC 10-37. The applicants shall submit a lighting plan or photos illustrating the presence of soffit lighting with his building permit application. Any changes in lighting if proposed or required shall be illustrated on plans and indicate the type, brightness, height, and number of lamps and luminaires.
13. The applicants shall ensure the patrons, congregation, and performers are aware of the site's location within a residentially zoned area and ensure conduct and noise levels outside the building are in keeping with the intended residential character of the neighborhood.
14. All trash and recycling containers shall be stored indoors or be screened from the public by a solid fence, wall or landscaping.

Informational

1. If either the alley or the existing curbcut on Rhody Dr. are proposed to be used improvements to those facilities are required prior to their use. They shall meet current standards outlined in 10-35 & 10-36 and a facility application shall be made to Public Works prior to starting construction of their improvement.
2. In keeping with the set coastal theme applied to all design reviews, the building colors shall be compatible with the surrounding building colors and consist of muted neutral earth tones. Trim and roofing may be darker. Any painting for the building now or in the future shall be reviewed and approved prior to commencement.
3. Emergency lighting and signage will be addressed and required at building permit issuance

IX. EXHIBITS

"A" Findings of Fact
"B" Site Plan
"C" Addition Floor Plan
"D" Land Use Application
"E" Aerial Map
"F" Tax Map
"G" Sean Barrett, Fire Marshall, Referral Comments

CLAYD ALI THEATRE
509 KINGWOOD STREET
FLORENCE, OR 97439

SCALE: 1" = 10'

PLOT PLAN

TL 18-12-27-43-06100

06000

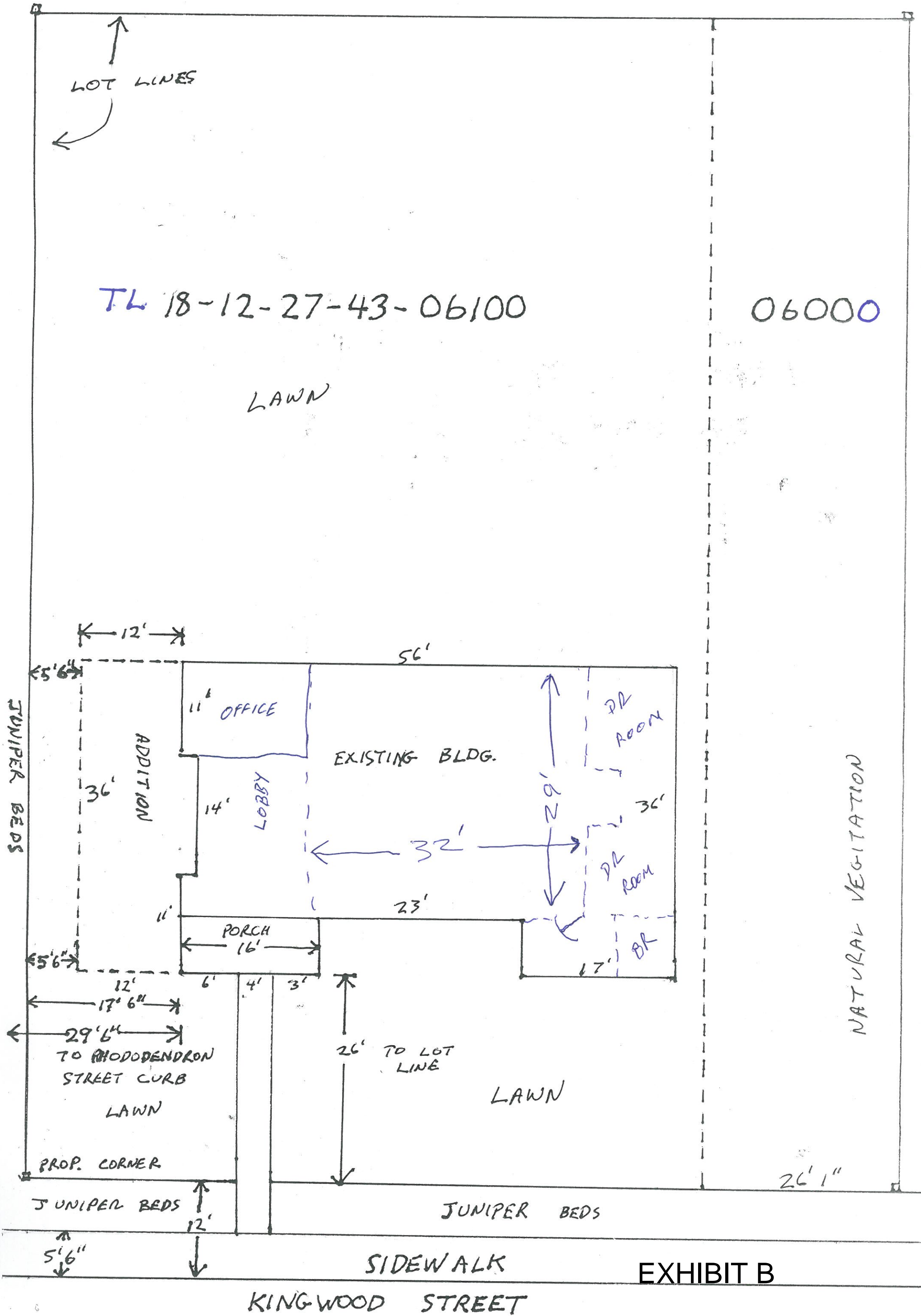


EXHIBIT B

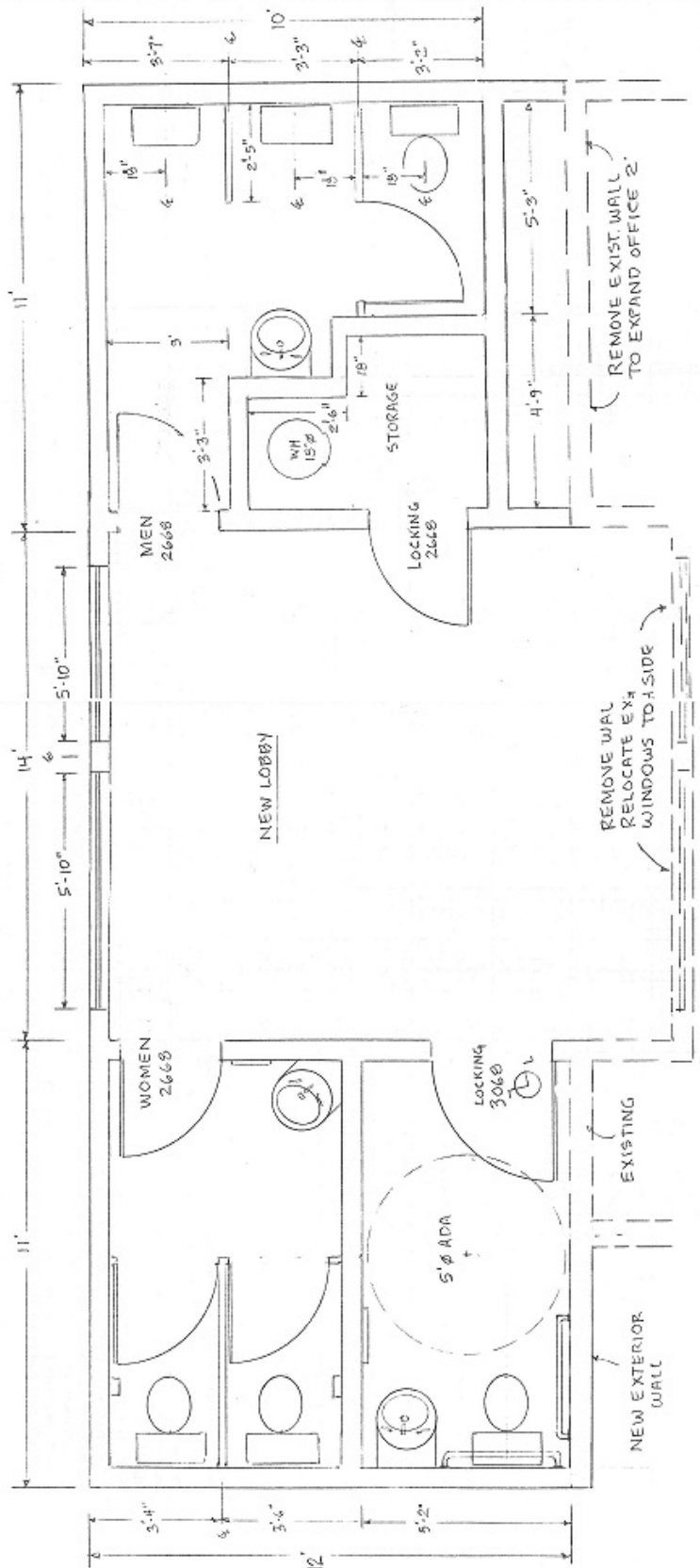
REVISIONS	BY
5-27-15	
5-28-15	

REMODEL AT 5 09 KINGWOOD ST.
CLASS ACT THEATRE
 FOR DAVID AND ROSEMARY LAURIA

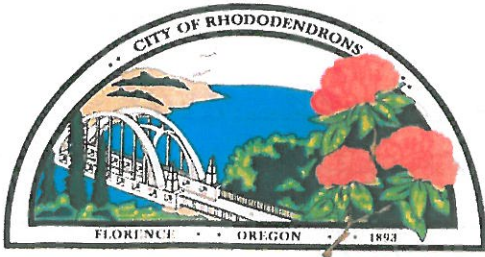
CRAIG DRAFTING
 AND DESIGN
 (501) 997-0326

Date 5-28-15
 Scale 1/2" = 1'
 Drawn C. RAIG
 Job LAURIA
 Sheet

PRELIMINARY
 For design review only



PARTIAL FLOOR PLAN
 1/2"



City of Florence
Community Development Department
250 Highway 101
Florence, OR 97439
Phone: (541) 997-8237
Fax: (541) 997-4109
www.ci.florence.or.us

Type of Request

☐ **Design Review (DR)** (See FCC 10-6) ☐ **Conditional Use Permit (CUP)** (See FCC 10-4)

Applicant Information

Name: DAVIDO ROSEMARY LAVANIA Phone 1: 541-999-0939
E-mail Address: diania@gmail.com Phone 2: 541-999-1638
Address: 1350 MULBERRY LANE, FLORENCE, OR 97439
Signature: [Signature] Date: 6/2/15
Applicant's Representative (if any): NA

Property Owner Information

Name: SAME AS ABOVE Phone 1: _____
E-mail Address: _____ Phone 2: _____
Address: _____
Signature: _____ Date: _____
Applicant's Representative (if any): _____

NOTE: If applicant and property owner are not the same individual, a signed letter of authorization from the property owner which allows the applicant to act as the agent for the property owner must be submitted to the City along with this application. The property owner agrees to allow the Planning Staff and the Planning Commission onto the property. Please inform Planning Staff if prior notification or special arrangements are necessary.

For Office Use Only:

Received

RECEIVED
City of Florence

JUN 02 2015

By: _____

Approved

Exhibit

EXHIBIT D

Property Description

Site Address: 509 KINGWOOD DR, FLORENCE, OR 97439

General Description: 460# ADDITION TO EXISTING CHURCH

Assessor's Map No.: 18 - 12 - 27 - 43 Tax lot(s): 06100

Zoning District: _____

Conditions & land uses within 300 feet of the proposed site that is one-acre or larger and within 100 feet of the site that is less than an acre OR add this information to the off-site conditions map

(FCC 10-1-1-4-B-3): RESIDENTIAL/COMMERCIAL

Project Description

Square feet of new: 460# Square feet of existing: 1754#

Hours of operation: VARIES Existing parking spaces: NONE

Is any project phasing anticipated? (Check One): ☐ Yes ☒ No

Timetable of proposed improvements: 3 MOS.

Will there be impacts such as noise, dust, or outdoor storage? ☐ Yes ☐ No

If yes, please describe: TEMPORARY DURING CONSTRUCTION

Proposal: (Describe the project in detail, what is being proposed, size, objectives, and what is desired by the project. Attach additional sheets as necessary)

ADD ~~2~~ RESTROOMS TO EXISTING CHURCH

For Office Use Only:

Date Submitted: _____ Fee: _____

Received by: _____

Paid

☐ Proposed:

Are new streets planned or needed? (Please refer to the Transportation System Plan)

☐ Yes ☒ No If yes, please describe: _____

Are utility upgrades or extensions planned or needed?

☐ Yes ☒ No If yes, please describe: _____

If you answered yes to either question above, how will these improvements be funded?

☐ Stormwater Plan: *N/A*

Per FCC 9-5-2-4, a drainage plan is required for projects which add **500 SQUARE FEET OR GREATER** of impervious surface area or clearing vegetation from **10,000 SQUARE FEET OR GREATER** (single family homes are excluded). Please refer to FCC 9-5 and the Florence Stormwater Design Manual for requirements.

☐ Traffic Impact Study: *N/A*

Per FCC 10-1-1-4-D, larger projects may require a Traffic Impact Study. Please attach a TIA if needed.

☒ Design & Architectural Drawings:

Per FCC 10-6-6-C, if applying for a design review, please attach or describe colors and materials being used as well as elevations of the proposed building.

CONSISTENT W/ CURRENT COLOR SCHEME

☐ Landscaping Plan:

Per FCC 10-34-3-2, the location, size and species of newly proposed plant materials, location(s) of area where existing vegetation will be cleared and/or preserved, irrigation and anticipated planting schedule, and location of existing and proposed fences and walls including buffering and screening materials.

☐ Erosion Control:

Projects of over 1 acre of land disturbance over a period of time (please see FCC 10-36-4) are required to obtain a National Pollution Discharge Elimination System permit from the Department of Environmental Quality prior to the issuance of a development permit or land use permit based on appropriate criteria.

☐ Site Investigation Report:

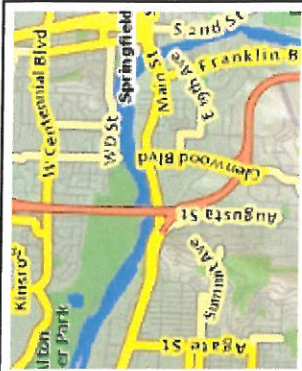
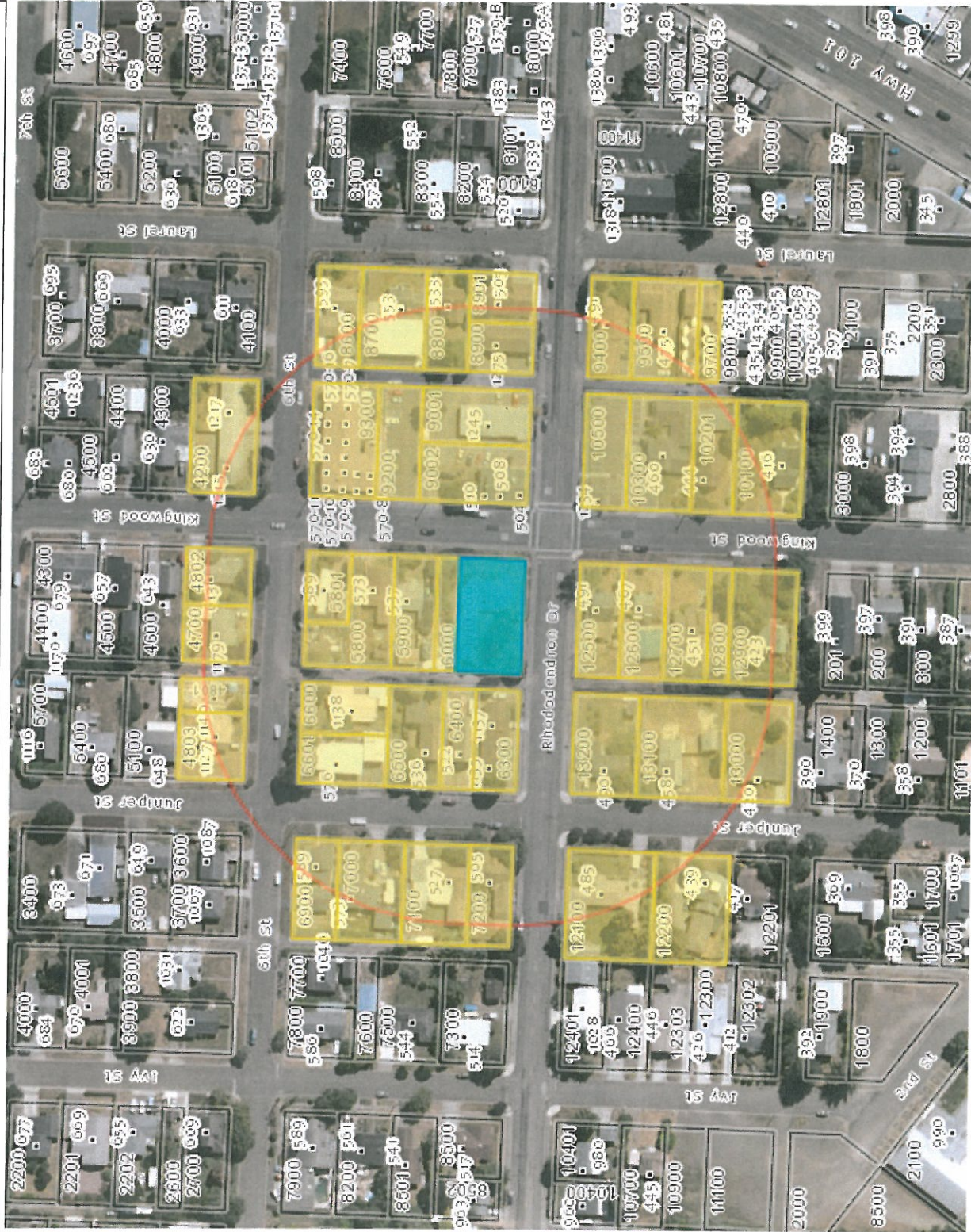
Refer to FCC 10-7-3 for the list of hazard areas within the City Limits which will require a SIR.

☐ Old Town District:

Survey: Properties within the Old Town District require a recent survey per FCC 10-17 for all new development, redevelopment, and additions which show property lines, easements, 2' contours, existing structures, floodplain, and highest observed tide.

Visual Aids: New construction or story additions require visual aids. Please refer to FCC 10-17.

Vicinity Map



Legend
-- Rail Lines



1:2,098

Notes

PC 15 13 CUP 08
Class Act Theatre
300 Buffer

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

0.1 0 0.03 0.1 Miles

NAD_1983_HARN_StatePlane_Oregon_South_FIPS_3602_Feet_Intl
© Lane Council of Governments



From: Sean Barrett [mailto:sean@svfr.org]
Sent: Tuesday, June 23, 2015 4:53 PM
To: Vevie Walker
Subject: RE: Referral PC 15 13 CUP 08 Class Act Theatre

Fie has reviewed PC15 13 CUP 08 and have no concerns. Any concerns will be addressed in building permit process to include exiting and emergency lighting.

Sean Barrett
Fire Marshal
Siuslaw Valley Fire and Rescue
2625 Hwy 101
Florence Oregon 97439
Office (541) 997-3212
Fax (541) 997-9116
Cell (541) 999-0600