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**AGENDA ITEM SUMMARY / STAFF REPORT**  
**FLORENCE PLANNING COMMISSION**

**ITEM NO: 6**  
Meeting Date: January 25, 2022

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**ITEM TITLE:** PC 21 29 SUB 02 – *Stonefield Investments Tentative Plan with Mods*

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**OVERVIEW:**

Background: The subject property was annexed and assigned Medium Density Residential in May of last year. Applications for a Phase 1 Site Investigation Report and Vegetation Clearing Permit are being reviewed administratively under file numbers SR 21 42 SIR 12 and SR 21 19 VEG 12 in anticipation of approval for the tentative plan and final plat.

Application: Due to the ‘panhandle’ shape of the 4.43 acres property, the applicant has been tasked with developing a plan that would accommodate 14 single-family residential lots with an internal street which connects the lots to Rhododendron Dr. The applicant requests three modifications: a reduction of 10’ in the required 60’ right-of-way width (FCC 10-36-2-5); an extension of over the maximum 400’ requirement for cul-de-sac length (FCC 10-36-2-6-A); and exception to provide no future street connectivity via a street stub with a turnaround to an adjacent property and instead, installing a cul-de-sac (FCC 10-36-2-9).

Process and Review: Although subdivisions are typically reviewed by staff through administrative processes, the Florence Planning Commission is the review body as set out in Florence City Code Title 10, Chapter 1 due to the modification requests from the required street standards. Therefore, this tentative plan requires a public hearing and Type III quasi-judicial review. The requested modifications include deviations in requirements for street width, length of street to the cul-de-sac, and street connectivity to adjacent property.

No written public testimony has been received after notifications were sent to neighboring properties and the property posted. The Resolution, Findings of Fact and application materials are attached to this AIS. The applicable criteria are listed in the “Applicable Criteria” section of the findings. Not only related code sections in this particular instance may be applied in the decision-making process, but also application materials, public testimony and agency referrals that speak to the criteria may also be considered.

The Planning Commission will open and possibly close the public hearing on January 25, 2022. The Planning Commission may then deliberate and provide their final decision on this matter.

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**ISSUES/DECISION POINTS:** Allowing all modifications from FCC 10-36 as requested by the applicant with regard to reduced right-way-width, increased cul-de-sac length from the maximum 400’ requirement, and street connectivity requirements. Also included is a decision to either

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allow a sidewalk on either one side of the proposed street, or require a sidewalk along both sides.

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**ALTERNATIVES:**

1. Recommend approval of PC 21 29 SUB 02, based on the Commissions' findings that the application meets the requirements of City Code subject to conditions,
  2. Recommend denial of PC 21 29 SUB 02 based on the Commissions' findings that the application does not meet the requirements of City Code.
  3. Recommend partial approval of PC 21 29 SUB 02 based on the Commissions' findings that the application for modifications meets some, but not all requirements of City Code.
  4. Continue deliberations and defer the decision.
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**RECOMMENDATION:**

The evidence in the record demonstrates that the proposed request, PC 21 29 SUB 02, for the Tentative Subdivision Plan with modifications for Stonefield Investments, LLC, is partially consistent with the policies set forth in state statutes and administrative rules, and Florence City Code based on the findings. Staff recommends that Planning Commission recommend approval for a reduced street width within the narrower portion of the subject property only, and denial of modifications from cul-de-sac distance and connectivity for PC 21 29 SUB 02, Tentative subdivision plan as shown in Alternative 3, above.

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**AIS PREPARED BY:**

Roxanne Johnston, Senior Planner, CFM

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**ATTACHMENTS:**

**# 1 - Resolution PC 21 29 SUB 02 (draft)**

- Exhibit A Findings of Fact (proposed)
- Exhibit B Narrative & Application
- Exhibit C Sheets C0.0 to C5.0
- Exhibit C1 Revised Sheet C2.0
- Exhibit C2 Revised Sheet C5.0
- Exhibit D Referral Comments

**#2 – Lane County Transportation Referral (No longer applicable as an exhibit to the findings)**

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**(Proposed) CITY OF FLORENCE  
PLANNING COMMISSION**

**RESOLUTION PC 21 30 SUB 02**

A REQUEST FOR TENTATIVE SUBDIVISION PLAN WITH THREE MODIFICATIONS TO CITY OF FLORENCE STREET STANDARDS AS RELATED TO A DEVELOPMENT OF 14 RESIDENTIAL LOTS, ONE STREET AND ASSOCIATED IMPROVEMENTS ON A 4.54 - ACRE SITE.

**WHEREAS**, application was made by Robbie Wright on behalf Stonefield Investments, LLC, for approval of a Tentative subdivision plan with modifications from FCC 10-36 as required by FCC 10-1-1-4, FCC 10-1-1-6-3, and FCC 10-6; and

**WHEREAS**, the Planning Commission met in a duly-advertised public hearing on January 25, 2022, as outlined in Florence City Code 10-1-1-6-3, to consider the application, evidence in the record, and testimony received; and

**WHEREAS**, the Planning Commission of the City of Florence, per FCC 10-1-1-4, FCC 10-1-1-6-3, and FCC 11-7, finds, based on the Findings of Fact, application, staff recommendation, evidence, and testimony presented to them, that the application meets the applicable criteria through compliance with certain Conditions of Approval.

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

The request for a Tentative subdivision plan with modifications from street requirements meets the applicable criteria in Florence City Code and the Florence Realization 2020 Comprehensive Plan with the conditions of approval as 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.

Approval shall be shown on conditions of approval as supported by the following record:

“A”	Findings of Fact
“B”	Narrative & Application
“C”	Preliminary Sheets C0.0 to C5.0
“C1”	Revised Sheet C2.0
“C2”	Revised Sheet C5.0
“D”	Referral Comments – SVFR, Civil West and Public Works

Findings of Fact attached as Exhibit “A” are incorporated by reference and adopted in support of this decision.

1. 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.
3. Upon encountering any cultural or historic resources during construction, the applicant shall immediately contact the State Historic Preservation Office and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. Construction shall cease immediately and shall not continue until permitted by either a SHPO or CTCLUSI representative.

**FCC 10-35:**

4. To perpetually meet and maintain the vision clearance areas as identified in FCC 10-35-2-14, the applicant/developer shall perpetually maintain landscaping within the Vision Clearance Areas so that vegetation does not grow to obstruct vision clearance areas. Additionally, landscape plantings shall be maintained as to not interfere with pedestrian and bicycle access. Further, landscaping shall be maintained so that plants do not grow or obstruct vision clearance areas at internal intersections or intersections with public streets.

**FCC 10-36:**

5. The subject property abuts Rhododendron Drive. In the City’s TSP there are specific improvement projects planned for Rhododendron Drive. Specifically, the two projects that apply to the frontage along the subject property are PRJ-17E and MU-1C. The former project calls for Rhododendron Drive to be constructed to arterial standards and the latter calls for a 12-foot-wide multi-use path from North Jetty Road to



Heceta Beach Road. Being that Rhododendron is a street abutting the development, the applicant is responsible for planned improvements as listed in the City's TSP. As such, prior to final plat application the applicant shall either sign an Improvement Guarantee (non-remonstrance) as provided for in accordance with FCC 10-36-2-2 for future improvements or pay a fee-in-lieu.

- 5.a** The street to be constructed will be a local street, as such sidewalks must be provided on at least one side of the street. As seen on Sheet C2.0 of Exhibit C, sidewalks are proposed along the northern side of the street and to be 5-feet wide. Sidewalks must be in conformance with construction standards of FCC 8-2-3. Plans for sidewalk construction shall first be reviewed and approved by the Florence Public Works Department, prior to the issuance of building permits. If the limited street width on the entry pan handle (50 ft. wide) is not wide enough after providing the required pavement width, utility service area and stormwater facilities, one side walk may be permitted. If this is the case then a demarcated walkway shall be provided at the east end of the street stem between Lots 1 and 2 to connect pedestrians with the remaining sidewalk serving Rhododendron Dr.

**FCC 11-5:**

- 5.b** Streets shall be constructed to the local street standards of FCC 10-36-2-5-A, specifically Local Street. The panhandle of the property may be a dedicated 50' right-of-way width constructed with 28 ft. pavement width with sidewalks on both sides unless reduced under Condition 5a after which 60' wide right-of-way shall be dedicated starting at the common lot line of Lots 1 and 2 constructed with 34' wide pavement width and sidewalks on each side. Street improvement plans relating to the construction of new rights-of-way shall be reviewed and approved by Public Works and Community Development, prior to issuance of the public improvement plan approvals and construction. Plans for public improvements are subject to revision by the City of Florence.

**FCC 10-36:**

- 5.c** Sidewalks are not expected to meander around existing trees. All ADA ramps shall meet current standards at the time of installation. Addition engineering details shall be provided prior to construction of the ADA ramps to ensure that they will meet standards.
  
- 6.** Should Planning Commission deny the requested modification to connectivity standards, the resultant stubbed street, if over 150-feet in length shall contain a temporary turn-around unless specifically

exempted by the Fire Marshal, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land. Further, the terminus of the stubbed street shall have a Type III barricade at the end of the street. The barricade shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street.

7. The applicant shall submit revised plans that show 5 ft. wide sidewalks to be constructed on both sides of the proposed street. Sidewalk construction plans shall conform to the adopted standards for construction of sidewalks in the City of Florence, as contained in FCC 8-2-3.
8. As seen on the revised Utility Plan (Exhibit C2, Sheet 5.0), the applicant is proposing to provide one fire hydrant (seen as Keyed Note #17). For compliance with FCC 10-36-3-E, prior to the issuance of building permits, the applicant shall provide verification of existing and proposed water service mains and hydrant flow supporting the site. Fire flow analyses and plans for hydrants and water service mains shall be subject to review and approval by the Building Official or Fire Marshal.
9. The project involves disturbance of more than 1 acre of land. The applicant shall obtain an NPDES permit from DEQ prior to issuance of development permit for the subdivision infrastructure.
10. All new utility lines shall be undergrounded, and above ground equipment shall not obstruct vision clearance areas for vehicular traffic.
11. All public improvements shall be warranted against defects in materials and workmanship for a period of one year following acceptance of the improvements by the City. Once accepted, a minimum one (1) year warranty agreement on materials and workmanship shall be initiated between the City of Florence and the developer. A warranty bond or other financial security acceptable to the City in the amount of 12 percent of the original public improvement construction cost shall be maintained throughout the warranty period. The terms of the warranty and the warranty itself shall be provided to the Florence Planning Director prior to final plat approval.

**FCC 11-3:**

12. The Sheets submitted for tentative subdivision plan approval contain the name and address of the engineer. However, the name and address of the property owner is not on the Sheets. The final plat shall contain an Owner's Declaration recital, complete with the name and address of the property owner in accordance with FCC 11-3-2-C3 and the platting

standards of ORS 92 for subdivisions.

- 12.a** The date, north arrow and scale are shown on the tentative plan. The location of the proposed subdivision is provided under the tentative plan's title. North Leeward Estates is a subdivision contiguous on the east side of this proposal. The final plat application shall contain the names of contiguous subdivisions, such as North Leeward Estates. Furthermore, what are labeled Parcels on revised Sheet C2.0 in Exhibit C1 shall be relabeled as Lots on the final subdivision plat draft.
- 13.** The elevations of all points used to determine contours were not seen on the Tentative plan. The Tentative plan submitted was sufficient for staff review. The final plat to be prepared and submitted for final approval shall contain the elevations of all points used to determine contours with the required intervals of 1' 0% to 5'; 2' 5% to 10%; and 5' over 10%.
- 14.** A 5' wide Public Utility Easement (PUE) is shown on the Tentative plan on Revised Sheet C5 of Exhibit C2 north of the proposed right-of-way/sidewalk. The same 5' wide easement is illustrated on the properties in the revised C2. On parcels 8 and 9 there are 21' wide and 12' wide utility easements. No other easements are seen on the Tentative plan. Prior to final plat approval, the approximate width and location of all reserve strips (if indicated) and all existing and proposed easements for public utilities shall be shown on the final plat, consistent with the platting standards of ORS 92.
- 15.** The applicant's materials were reviewed by the City's contract engineering firm, Civil West Engineering. In their comments, Civil West notes that Sheet C3 displays cuts and fills along with the proposed grading plan. The applicant shows a proposed 0-8' retaining wall on the southwest side of the site where cuts and fills appear to vary greatly. Civil West indicates the proposed cuts and fill plan is acceptable provided that more information is provided. The contract City Engineer will require more information on how the cuts and fills are going to be managed and contained, especially with the behavior of the sandy soils present in the area. A final grading and cut and fill plan shall be required to be reviewed and approved by the contract City Engineer, before the issuance of public infrastructure permits.
- 16.** Sheet C3 also indicates that drainage will flow for the peak contour of 101' back onto city streets. The applicant has not shown how all stormwater will be treated and managed on site. This will be a condition of approval, prior to the issuance of public infrastructure permits.
- 17.** The boundary of the area is shown and described on the Tentative plan (Sheet C2.0, Exhibit B). The applicant provided a legal description of the

property but it is not included on the tentative plan. The final plat that is prepared shall contain a legal description in accordance with ORS 92.

**FCC 11-5:**

18. A reserve strip is required because of a denial of the applicant's request for a modification to the connectivity standards. This means the applicant shall plat and construct a street stub to the southern property line, effectively providing future connectivity and access to the vacant and undeveloped parcel to the south. A reserve strip shall be included in the final plat application. Reserve strip are commonly shown as a 1-foot buffer of land, extending the entire width of the right-of-way, that is deeded to the City. Until such time that the City authorizes access over the reserve strip onto the abutting parcel. Prior to issuance of the public improvement plan approvals the applicant shall submit a revised tentative subdivision plan showing right-of-way access dedicated to the south; the plan shall show the required reserve strip.
19. The applicant has not provided details or plans as to how stormwater drainage will be handled and treated. Stormwater Designs for the proposed subdivision will be required to be in line with the City's adopted Green Streets standards, which are outlined in the City's Stormwater Design Manual. The City is agreeable to the applicant taking the Presumptive Approach to Green Streets, as outlined in Section 4.2.2 of the Stormwater Design Manual. Applicants using the Presumptive Approach must submit a Stormwater Management Plan, an Operations and Maintenance Agreement and an Operation and Maintenance Plan. Per Section 4.2.3 of the Stormwater Design Manual, these three Plans may be included as part of the required Performance Agreement for the subdivision. The Best Management Practices for Green Streets Stormwater Design is shown on detail SW-301 of the Stormwater Design Manual. The submittal of these Plans for review and approval by the Florence Building Department will be a condition of approval, prior to the issuance of building permits.
20. Sanitary sewer service is available to the property however, the property owner(s)/developer(s) are to pay for the sewer main extension, manholes, construction, connection fees, engineering fees, street opening permits and any other fees necessary for the connection to the public sewer system for the project.
21. Water: development permits for water improvements shall not be issued until the Public Works Director or their designee has approved all water plans in conformance with City standards and Florence Code Title 9 Chapters 2,3 and 5.

- 22. Stormwater: Planter strips are to be the maintenance responsibility of the property owner. Development permits for stormwater drainage improvements shall not be issued until the Public Works Director or their designee has reviewed and approved them. Stormwater drainage improvements shall be in conformance with City standards, and Florence Code Title 9 Chapters 2, 3 and 5. Green Streets stormwater design criteria shall be utilized by the developer in accordance with the Stormwater Design Manual of the City of Florence.
- 23. Final construction plans and utility facility specifications are required to be submitted for City review and approval prior to commencing construction. City reserves the right to relocate water services, fire hydrant locations, and sewer lateral locations prior to construction plans being finalized.

**FCC 11-3:**

- 24. The applicant will be expected to proceed with final survey and to make preparations for final subdivision approval within the timeframes outlined in Title 11 Chapter 3-6 & Chapter 4-4 & 4-6 unless otherwise provided for through approved and allowed extensions from the Planning Director. This tentative plan shall expire on January 25, 2024 unless an extension request is received and approved.

**FCC 11-7:**

- 25. The final plat application and public improvement plans shall incorporate street connectivity in accordance with 10-36-2-9-B. Review and approval of the public improvement plans are required prior to reviewed and approved by the Florence Planning and Public Works Directors, prior to construction of infrastructure.

**ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD** the 25<sup>th</sup> day of January, 2022.

\_\_\_\_\_  
Phil Tarvin, Chairperson  
Florence Planning Commission

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DATE

**FINDINGS OF FACT (Proposed)  
FLORENCE PLANNING COMMISSION  
EXHIBIT A**

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**Meeting Date:** January 25, 2022

**Planner:** Henry Hearley, LCOG

**Application:** PC 21 30 SUB 02 – Stonefield Investments, LLC - Tentative Plan with modifications

**Related Applications:** AR 21 19 VEG 12 (Vegetation Clearing) & SR 21 42 SIR 12 (Phase 1 Site Investigation Report).

**I. PROPOSAL DESCRIPTION**

**Proposal:** A request for approval of an unnamed Tentative Subdivision Plan containing 14 residential lots and a modification on the required street width for a private street.

Supplemental Request:

**Applicant:** Robbie Wright

**Property Owner:** Stonefield Investments, LLC

**Location:** Approximately 410 feet NE of the intersection of Rhododendron Dr. and Sebastian St.

**Site:** 4.43 acres shown on Assessors Map No. 18-12-04-44, Tax Lot 03800.

**Comprehensive Plan Map Designation:** Medium Density

**Zone Map Classification:** Medium Density Residential

**Surrounding Land Use/Zoning**

**Site:** Vacant | Medium Density Residential

**South:** Single Family Residence | Suburban Residential / Mobile Home District (Interim Urban Combining District Overlay)

**East:** Single-family residences | Suburban Residential / Mobile Home District (Interim Urban Combining District Overlay)

**West:** Single-family residences | Suburban Residential / Mobile Home District (Interim Urban Combining District Overlay)

### **Streets/Classification**

Rhododendron Drive is the sole street bordering the subject property and is classified as a minor arterial.

## **II. NARRATIVE**

### Background:

The subject property was annexed and the zoning designation of Medium Density Residential was assigned on May 17, 2021. The irregularly shaped property is undeveloped amid a residential area whereupon homes are primarily located on medium-sized to large-sized tracts of property outside of the City limits. The subject property also abuts City limits along its most western boundary where it adjoins the Rhododendron Drive right-of-way. Rhododendron Dr. lies within City limits and on January 4, 2022, maintenance jurisdiction was transferred from Lane County to the City.

### Proposal:

For the purpose of this application, this tentative subdivision includes 14 lots and a newly platted and dedicated street. Included in the subdivision request, is a request for modification to three standards:

- (1) a modification from the rights-of-way width standards of FCC 10-36-2-5 to allow for a right-of-way of less than the required 60-feet;
- (2) a modification from the maximum cul-de-sac length as indicated in FCC 10-36-2-6; and
- (3) a modification from the street connectivity standards as indicated in FCC 10-36-3-9.

Each of the requested modifications are discussed later in this report under FCC 11-7-1.

The minimum lot size allowed for single-family detached in the MDR zone is 5,000 sq. ft. The proposed lot sizes exceed this minimum and range from 8,571 to 23,174 sq. ft. As seen on the Tentative Plat (Exhibit B), the applicant is proposing 14 lots, which is below the maximum density allowed. Each lot is expected to eventually contain a single-family detached residential unit, although other dwelling units may be permitted on the lots consistent with FCC 10-10-4-E, which allows the maximum net density of 12 dwelling units per acre. Since the subject site contains lot sizes totaling 3.57 acres, a total of 42 dwelling units could potentially locate there (not taking into consideration a reduction for public improvements). The proposed subdivision, however, will be accessed by the newly constructed and dedicated street, which is proposed to have a right-of-way width of 50-feet. This width is below the minimum standard of 60-feet; hence the requested modification to right-of-way standards.

### III. NOTICES & REFERRALS

**Notice:** On January 5, 2022, notice was mailed to surrounding property owners within 300 feet of the property. The property was posted on January 6, 2022

The City received no comments by the public on the proposal prior to or by January 18, 2022, the deadline for submitting such testimony to be included in this report.

**Referrals:** On October 18, 2021, a referral notice was sent to affected governmental agencies.

Siuslaw Valley Fire & Rescue (Oct. 21, 2021) Exhibit D:

*“Siuslaw Valley Fire & Rescue is requesting more detail (no fire hydrants noted in utility plans) on the number of fire hydrants and locations of fire hydrants within the subdivision.”*

*“Is this a county maintained road or private drive? Looking for clarification on road widths & cul-desac requirements.”*

Comment:

Staff clarified the nature of the modification for street width for the Fire Marshal, and also discussed the cul-de-sac requirements.

Civil West Engineering (Dec. 27, 2021) Exhibit D:

*“Information provided at this stage is fairly preliminary, but the following are the items that we felt were noteworthy:*

- The sheet C2.0 labels their proposed R-O-W as 50.01’ rather than 50.00’. This is likely inconsequential but warrants further checks on dimensioning as they’re probably being automated by CAD.*
- Related to the above comment, I was under the impression that the City’s minimum R-O-W width is 60’. I’m unsure whether the development is proposed as entirely private, or if the R-O-W will be the City’s. Otherwise, the street and lot layout appear to meet setback and fire access requirements.*

Comment: Civil West’s observation regarding the minimum ROW is correct. The reason this Tentative plan is being reviewed by the Planning Commission is due to modification requests; one of which pertains to reduced ROW width. The Planning Commission will decide if the request for the reduced width will apply to a segment of or the entire new street. The street will be public.



- *Sheet C3 displays cuts and fills along with proposed grading structures. They show a proposed 0-8' retaining wall on the southwest side of the development where cuts and fills appear to vary greatly. This is fine, provided more information is provided; however, there appear to be large cuts along eastern edge, and we'll need more information on how these are going to be managed/contained, especially with the behavior of the sandy soils in the area.*
- *The provided contours on Sheet C3 indicate that drainage will flow from the peak contour of 101' back onto City Streets. The applicant will need to show how all stormwater will be treated and managed on-site.*
- *The vertical curves displayed have very low K values, indicating a large difference in slopes with a short curve length. These crest curves would usually indicate a speed limit around 15 mph due to sight distance constraints.*
- *It's difficult to get a whole lot out of the utility plan without more information, but it looks like everything should work properly. The wastewater appears to consist of a gravity system that will then connect to a private pump station that conveys out to the City's low pressure force main. It appears that there is adequate clearance between utilities. The planters and corresponding overflow pipes will need to be constructed per City of Florence Stormwater Standards. A blowoff may be required for the significant high point that will occur in both the water main and the sewer force main."*

Public Works (Jan. 7, 2022) Exhibit D:

*"Yes, the TSP calls for a separated multi-use path along Rhododendron Drive. Since the frontage is so small, I would suggest that at a minimum that the multi-use path be shown on the plan as a future improvement. They would need to agree and sign a non-remonstrance agreement or pay in-lieu of making the improvements. We need to make sure that the multi-use path does not conflict with any proposed stormwater facilities that the development is proposing."*

Comment: Lane County Transportation Department submitted referral comments prior to the maintenance of Rhododendron Drive being officially transferred to the City. As such, their referral comments are not included since they are no longer applicable to City regulations; but have been included as an attachment in the Agenda Item Summary (AIS) for the January 25, 2022 Planning Commission meeting.

#### **IV. APPLICABLE REVIEW CRITERIA**

## Florence City Code (FCC)

### **Title 10: Zoning Regulations**

- Ch. 1 : Sections 1-4 & 5; Section 1-6-3;
- Ch. 7: Section 3;
- Ch. 10: Section 1; & Sections 4 & 5;
- Ch. 35: Section 2-14;
- Ch. 36: Sections 2 thru 5; & 8.

### **Title 11: Subdivision Regulations**

- Ch. 3 : Sections 2 thru 4 ; & Section 6
- Ch. 5: Sections 1 thru 5;
- Ch. 7: Section 1

## City of Florence Transportation System Plan (2012)

### V. FINDINGS

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

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## FLORENCE CITY CODE

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### TITLE 10: CHAPTER 1: ZONING ADMINISTRATION

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#### **10-1-1-4: APPLICATION:**

- A. Applications and Petitions required by Title 10 and 11 of this Code shall be on forms prescribed by the City and include the information requested on the application form.**
- B. Applicability of Review Procedures: All land use and development permit applications, petitions, and approvals shall be decided by using the procedures contained in this chapter. The procedure type assigned to each application governs the decision making process for that permit or approval. There are four types of approval procedures as described in subsections 1-4 below. Table 10-1-1 lists some of the City's land use and development approvals and corresponding review procedures. Others are listed within their corresponding procedure sections.**

[...]

- 3. Type III (Quasi-Judicial) Procedure (Public Hearing). Quasi-Judicial decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council;...**

FINDING: The subject application for a 14-lot subdivision with accompanying modifications is being reviewed by the Florence Planning Commission.

- D. Evidence Submittal: Except when this Code expressly provides different time limitations, all documents and evidence relied upon by the applicant shall be submitted at least thirty (30) days prior to the hearing as provided in Subsection 10-1-1-6. (Amd. By Ord. No. 30 Series 1990)**

FINDING: The applicant has submitted an application for a tentative subdivision and accompanying modifications. Also submitted were associated public works improvement plans and written narratives addressing the applicable approval criteria.

**10-1-1-5: GENERAL PROVISIONS**

- A. 120-Day Rule: The City shall take final action on Type I, II, and III permit applications that are subject to this Chapter, including resolution of all appeals, within 120 days from the date the application is deemed as complete, unless the applicant requests an extension in writing. Any exceptions to this rule shall conform to the provisions of ORS 227.178. (The 120-day rule does not apply to Type IV legislative decisions – plan and code amendments – without an applicant under ORS 227.178.)**

FINDING: Consistent with FCC 10-1-1-5, the City shall take final action on the subject application, including all appeals, within 120 days from the date the application was deemed complete, unless the applicant requests an extension in writing.

**10-1-1-6-3: TYPE III REVIEWS – QUASI-JUDICIAL LAND USE HEARINGS:**

**A. Hearings are required for Type III (quasi-judicial) land use matters requiring Planning Commission review. Type III applications include, but are not limited to:**

- 10. Other applications similar to those above which require notice to surrounding property owners and a public hearing.**

FINDING: The application associated with the proposed tentative subdivision plan qualifies for a Type 3 quasi-judicial review under this Section and FCC Title 11, Chapter 7: *Modifications*. The applicant is seeking modifications from street rights-of-way widths, cul-de-sac length, and street connectivity. Each of the three requested modifications will be addressed later in this report. The applicant submitted the required form and materials whereupon the application was deemed “complete” as of December 3, 2021, and the applicant duly noticed. The application and related materials submitted require a decision by the Planning Commission.

**B. Notification of Hearing:**

**1. At least twenty (20) days prior to a Type III (quasi-judicial) hearing, notice of hearing shall be posted on the subject property and shall be provided to the applicant and to all owners of record of property within 100 feet of the subject property, except in the case of hearings for Conditional Use Permits, Variance, Planned Unit Development and Zone Change, which notice shall be sent to all owners of record of property within 300 feet of the subject property.**

[...]

**2. Prior to a Type III (quasi-judicial) hearing, notice shall be published one (1) time in a newspaper of general circulation. The newspaper's affidavit of publication of the notice shall be made part of the administrative record.**

FINDING: Notice of the application was provided to property owners within 300 feet of the subject property on January 5, 2022, 20 days prior to the January 25, 2022 public hearing. Due to inclement weather, the property was posted January 6, 2022. The public hearing notice was published in Siuslaw News on January 15, 2022. The 300 feet noticing was performed to accommodate the modification request which is Title 11's version of a variance.

**C. Notice Mailed to Surrounding Property Owners - Information provided:**

**1. The notice shall:**

- a. Explain the nature of the application and the proposed use or uses which could be authorized;**
- b. List the applicable criteria from the ordinance and the plan that apply to the application at issue;**
- c. Set forth the street address or other easily understood geographical reference to the subject property;**
- d. State the date, time and location of the hearing;**
- e. State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes further appeal based on that issue;**
- f. State that application and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;**

- g. State that a copy of the staff report will be available for inspection at no cost at least 7 days prior to the hearing and will be provided at reasonable cost;
- h. Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.
- i. Include the name of a local government representative to contact and the telephone number where additional information may be obtained.

**FINDING:** Notice of the application was provided to property owners within 300 feet of the subject property on January 5, 2022. The notice included the required information.

**D. Hearing Procedure: All Type III hearings shall conform to the procedures of Florence City Code Title 2, Chapters 3 and 10. E. Action by the Planning Commission:**

**F. Notice of Decision by the Planning Commission: A notice of the action or decision of the Planning Commission, and right of appeal shall be given in writing to the applicant. Any party who testified either in writing or verbally at the hearing must provide a mailing address in order to be noticed. The notice may be served personally, or sent by mail. The notice shall be deemed served at the time it is deposited in the United States mail.**

**G. Limitations on Refiling of Applications: Where an application has been denied, no new application for the same purpose shall be filed within six (6) months of the date the previous denial became final unless the Planning Commission can show good cause for granting permission to do so.**

**H. Consolidated Procedures: Whenever possible an application for development such as a Conditional Use, Variance, or other action requiring Planning Commission approvals be consolidated to provide faster service to the applicant. (ORS 227.175(2)), (Amd. by Ord. No. 4, Series 2011)**

**E. Action by the Planning Commission:**

- 1. At the public hearing, the Planning Commission shall receive all evidence deemed relevant to the issue. It shall then set forth in the record what it found to be the facts supported by reliable, probative and substantive evidence.
- 2. Conclusions drawn from the facts shall state whether the ordinance requirements were met, whether the Comprehensive Plan was

complied with and whether the requirements of the State law were met.

3. **In the case of a rezoning request, it shall additionally be shown that a public need exists; and that the need will be best served by changing the zoning of the parcel of land in question.**
4. **There is no duty upon the Planning Commission to elicit or require evidence. The burden to provide evidence to support the application is upon the applicant. If the Planning Commission determines there is not sufficient evidence supporting the major requirements, then the burden has not been met and approval shall be denied.**

FINDING: The Planning Commission has been scheduled to hold a duly noticed public hearing on January 25, 2022, the per the procedures of FCC 2-3 and FCC 2-10 in order to consider the matter, evidence relevant to the issue, the facts within the record, and any applicable public testimony received.

- F. Notice of Decision by the Planning Commission: A notice of the action or decision of the Planning Commission, and right of appeal shall be given in writing to the applicant. Any party who testified either in writing or verbally at the hearing must provide a mailing address in order to be noticed. The notice may be served personally, or sent by mail. The notice shall be deemed served at the time it is deposited in the United States mail.**

FINDING: Following a decision by the Planning Commission, notice of the action and decision will be mailed to the applicant and any party who has testified either in writing or verbally at the public hearing.

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## **TITLE 10: CHAPTER 7: SPECIAL DEVELOPMENT STANDARDS**

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### **10-7-3: DEVELOPMENT STANDARDS FOR POTENTIAL PROBLEM AREAS:**

**The following standards shall be applied to development in potential problem areas unless an approved Phase I Site Investigation Report or an on-site examination shows that the condition which was identified in the Comprehensive Plan or Overlay Zoning Map does not in fact exist on the subject property. These standards shall be applied in addition to any standards required in the Zoning Districts, Comprehensive Plan, and to any requirements shown to be necessary as a result of site investigation. Where conflicts or inconsistencies exist between these Development Standards, City Code, and the Comprehensive Plan, the strictest provisions shall apply unless stated otherwise.**

FINDING: The subject property is composed of Waldport Fine Sand, 0 to 12 percent slopes (55% of tax lot), Yaquina Loamy Fine Sand (29% of tax lot), and Waldport Fine Sand, 12 to 30 percent slopes (16% of tax lot). The Waldport Fine Sand soil type is classified as being unsuitable or conditionally suitable for development. The applicant

has submitted the required Site Investigation Report (SIR). The SIR is being reviewed concurrently under file number SR 21 42 SIR 12. Therefore, FCC 10-7 is not discussed in this report or findings. The applicant also filed application for a vegetation clearing permit which is being processed as a Type II administrative approval under file AR 21 19 VEG 12.

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**TITLE 10, RESIDENTIAL DISTRICTS**

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**10-10-1: RESIDENTIAL ZONES AND PURPOSE:**

- B. Medium Density Residential (MDR): The Medium Density Residential District is intended to provide a quality environment for medium density, urban residential uses and other compatible land uses determined to be necessary and/or desirable.**

FINDING: The proposed 14-lot subdivision is a permitted use in the MDR zone Criterion met.

**10-10-4: LOT AND YARD PROVISIONS:**

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

**Table 10-10-4-A. Minimum Lot Dimensions by Development Type<sup>1</sup>**

Type	MDR	
	Width	Depth
All development types including single-family detached <sup>2</sup> , except:	50 ft.	80 ft.
Single-family attached dwelling or duet (single unit)	25 ft.	80 ft.

FINDING: As seen on the tentative subdivision plat (Exhibit B, Sheet C2.0), all proposed lots have at least a width of 50-feet and a depth of 80-feet. The dwelling units will all be single-family detached units. Criterion met.

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

**Table 10-10-4-B. Minimum Lot Area by Development Type.<sup>1</sup>**

Development Type	MDR
Single-family detached dwelling	5,000 sq. ft.
Single-family attached dwelling	3,000 sq. ft.

<b>Duplex or Duet (both units)</b>	<b>5,000 sq. ft.</b>
<b>Tri-plex</b>	<b>7,500 sq. ft.</b>
<b>Four-plex</b>	<b>10,000 sq. ft.</b>
<b>All other development types<sup>2</sup></b>	<b>5,000 sq. ft.</b>

**FINDING:** As seen on Sheet C2.0 of Exhibit B, all lots are above the minimum lot area of 5,000 square feet for a single-family detached dwelling in the MDR zone. Criterion met.

**C. Lot Coverage: The maximum coverage shall not exceed the following:**

	<b>MDR</b>
<b>Maximum building coverage</b>	<b>50%</b>
<b>Maximum coverage by all impervious surfaces</b>	<b>75%</b>

**FINDING:** Lot coverage cannot be verified at this time because there are no development plans for the expected single-family dwellings. Lot coverage will be verified for each lot during the building permit process. This will be an informational item. Criterion not applicable for subdivision. **(Informational 1)**.

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

**Table 10-10-4-D. Minimum setbacks and yard regulations.**

	<b>MDR</b>
<b>Primary</b>	<b>10 ft.</b>
<b>Garage or Carport vehicular entrance wall</b>	<b>20 ft.</b>
<b>Primary<sup>2</sup></b>	<b>5 ft.</b>
<b>Accessory Building</b>	<b>5 ft.</b>
<b>Accessory Dwelling Unit</b>	<b>5 ft.</b>
<b>Parking Lot, Garage or Carport</b>	<b>5 ft.</b>
<b>Garage or Carport vehicular entrance wall</b>	<b>20 ft.</b>
<b>Primary</b>	<b>5 ft.</b>
<b>Accessory Building</b>	<b>5 ft.</b>
<b>Accessory Dwelling Unit</b>	<b>5 ft.</b>
<b>Parking Lot, Garage or Carport</b>	<b>10 ft.</b>



Garage or Carport vehicular entrance wall	20 ft.
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**FINDING:** Yard regulations cannot be verified at this time. Yard regulations will be verified at the time of building permit submittal for each dwelling to be located on the lots. This will be included as an informational item. Criterion not applicable for subdivision. **(Informational 2)**

**10-10-5: SITE DEVELOPMENT PROVISIONS:**

**A. Building or Structural Height Limitations:**

1. **Primary Structures:** The maximum building or structural height shall be thirty-five feet (35'), excepting High Density District which shall permit forty feet (40'), limited to three (3) stories.
2. **Accessory Structures:** The maximum building height shall be twenty feet (20').
3. **Accessory Dwelling Units:** The maximum building height shall be twenty-eight feet (28').
4. **Nonresidential Structures:** The maximum building height shall not exceed thirty feet (30').
5. **Structures in the HDR, LDR, MDR and RMH shall have a minimum roof pitch of 3/12, except mobile homes in the mobile/manufactured home parks or district.**

**FINDING:** The standards of FCC 10-10-5.A.1-4, will be reviewed at the time of building permit submittal for each dwelling that is to be located on the proposed lots. Staff will include these standards as an information item for the applicant's awareness. Criterion not applicable for subdivision. **(Informational 3)**

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

**FINDING:** Fences are not proposed as part of the tentative subdivision plat process. Criterion not applicable.

**C. Vision Clearance: Refer to Section 10-35-2-14 of this Title for definition, and requirements.**

**FINDING:** Vision clearance standards are addressed under FCC 10-35-2-14.

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

FINDING: Per FCC 10-3-1.A, each lot associated with the subdivision shall have two off-street parking spaces per dwelling unit. The off-street parking spaces for the proposed subdivision are expected to be in the form of a driveway and presumably garages as evidenced from the home configuration. Off-street parking spaces for the proposed lots will be reviewed during the building permit process for each lot when it becomes developed.

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

FINDING: Signs are not proposed as part of the subdivision. However, should an entrance sign be proposed by the applicant denoting the entrance to Stonefield Subdivision, the applicant shall submit the required materials and fee(s) to the Florence Building Department for review and comment, prior to the issuance of building permits. Criterion addressed.

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

FINDING: Landscaping standards of FCC 10-3 are not applicable to single-family dwellings. Criterion not applicable.

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

FINDING: Access and Circulation requirements of FCC 10-35 are discussed in the report under Title 10 Chapter 35.

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

FINDING: Public Facilities requirements of FCC 10-36 are discussed in the report under Title 10 Chapter 36.

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

FINDING: The lighting standards that will apply to the proposed subdivision will be the street light standards of FCC 10-36-2-23. Street lights will be required as part of the subdivision. Individual lighting at each of the proposed lots will be reviewed as part of the individual building permit process for each lot. (**Informational 4**)

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**TITLE 10: CHAPTER 35: ACCESS AND CIRCULATION**

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**10-35-2: VEHICULAR ACCESS AND CIRCULATION:**

**10-35-2-1: Intent and Purpose:** This Section implements the access management policies of the City of Florence Transportation System Plan. The intent of this Section is to manage vehicular and bicycle access and on-site circulation to ensure the continued operational safety, capacity and function of the transportation system in a cost-effective manner.

**10-35-2-2: Applicability:** Section 10-35-2 applies to vehicle access and on-site circulation facilities in the City of Florence. This Section applies to any type of land use or development permit. Access to a designated state or county highway is subject to the provisions of this Section in addition to the requirements of the applicable roadway authority. Where regulations of the City conflict with those of the roadway authority the more restrictive requirements apply.

**10-35-2-3: Access Approval Required:** Access will generally be reviewed in conjunction with a land division or building permit. If a property owner wishes to access a public street (e.g., a new curb cut or driveway approach), or make improvements within the public right-of-way (e.g., install or replace sidewalk), the property owner must obtain a "Construction Permit in Right-of-Way". In either case, approval of an access shall follow the procedures and requirements of the applicable road authority.

**10-35-2-4: State and County Access Permits:** ODOT has responsibility and authority in managing access to State Highways and Lane County has responsibility and authority in managing access to County roads within the City. Projects with direct access onto a State Highway or County Road shall be required to obtain a State or County access permit. A State or County complete access permit application must be submitted as part of all land use permits. Conditions placed by the State or County upon these access permits shall be considered conditions of approval for all applicable land use and development approvals. When a transportation improvement is proposed along Highway 101 between the Siuslaw River Bridge and Highway 126, improvements shall be constructed in accordance with the standards specified in the "Highway 101 Access Management Plan." County roads are governed by the Lane County Transportation System Plan and Lane Code Chapter 15.

FINDING: The subject property fronts Rhododendron Drive, a minor arterial which has recently become the maintenance responsibility of the City. Due to the timing of the transfer of maintenance from the County to the City, Lane County Transportation (LCTP) received a referral notice of the proposed subdivision. The referral comment has not been included since Rhododendron Dr. is no longer within their jurisdictional maintenance responsibility. LCTP's comments on the proposal have been included as an Informational. Based on the *Institute of Traffic Engineer's Trip Generation Manual (8<sup>th</sup> edition)*, a 14-lot single-family subdivision is not expected to generate 25 or more trips in any peak hour; thus a Traffic Impact Analysis is not required per LC 15.697. As development of Rhododendron Dr. is within the City's Transportation System Plan, the long range plan is to include sidewalks/multi-use pathways. The developer is aware of this plan.

Plans for driveway approaches for each lot proposed will need to be reviewed and approved by the Florence Building Department as part of the building permit process.

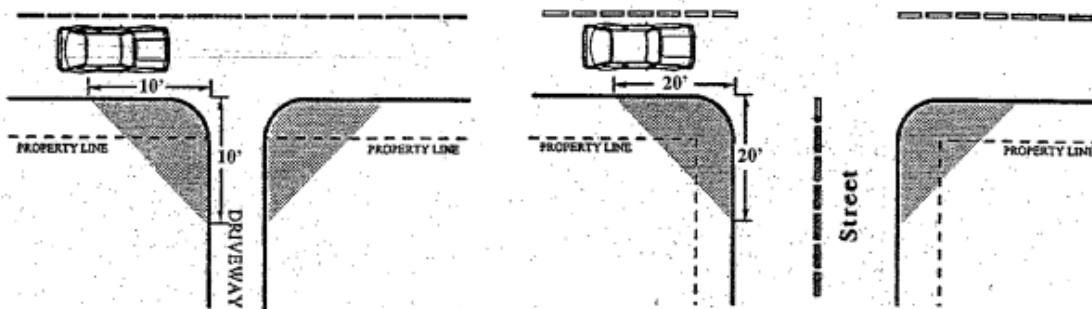
The proposed street to be constructed to provide direct access to the 14-lot subdivision is proposed to be 50-feet wide, which is below the minimum right-of-way width required by a one foot difference. As such, the applicant is seeking a modification from this standard. The modification to minimum street right-of-way widths is discussed later in this report under FCC 11-7.

**10-35-2-14: Vision Clearance:** No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) shall block the area between two and one-half feet (2 ½') and eight (8) feet in height in “vision clearance areas” on streets, driveways, alleys, mid-block lanes, or multi-use paths where no traffic control stop sign or signal is provided, as shown in Figure 10-35(4). The following requirements shall apply in all zoning districts:

A. At the intersection of two (2) streets, minimum vision clearance shall be twenty feet (20').

B. At the intersection of an alley or driveway and a street, the minimum vision clearance shall be ten feet (10').

C. At the intersection of internal driveways, the minimum vision clearance shall be ten feet (10'). The sides of the minimum vision clearance triangle are the curb line or, where no curb exists, the edge of pavement. Vision clearance requirements may be modified by the Public Works Director upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard does not apply to light standards, utility poles, trees trunks and similar objects. Refer to Section 10-2-13 of this Title for definition.



**Figure 10-35(4): Vision Clearance Areas**  
(solid lines indicate curbs or edge of pavement)

**FINDING:** To perpetually meet and maintain the vision clearance areas as identified in FCC 10-35-2-14, the applicant/developer shall perpetually maintain landscaping within

the Vision Clearance Areas so that vegetation does not grow to obstruct vision clearance areas. Additionally, landscape plantings shall be maintained as to not interfere with pedestrian and bicycle access. Further, landscaping shall be maintained so that plants do not grow or obstruct vision clearance areas at internal intersections or intersections with public streets.**(Condition 4).**

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**TITLE 10: CHAPTER 36: PUBLIC FACILITIES**

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[...]

**10-36-2: STREET STANDARDS:**

**10-36-2-1: Development Standards: The following standards shall be met for all new uses and developments:**

**A. All new lots created, consolidated, or modified through a land division, lot line adjustment, lot consolidation, or street vacation must have street frontage and approved access to a street.**

FINDING: The proposed public street to be constructed as part of the proposed subdivision will have frontage on Rhododendron Drive. The amount of frontage the newly constructed road will have on Rhododendron Drive will be less than the 60-feet required, so the applicant is requesting a modification to this standard (Exhibit B, Narrative). The newly constructed street will require approval from Florence Public Works prior to constructing occurring. All of the 14 lots proposed to be platted will have frontage along the newly platted street. This criterion is met..

**B. Streets within or abutting a development shall be improved in accordance with the Transportation System Plan (TSP), provisions of this Chapter and other applicable sections of this Code.**

FINDING: The subject property abuts Rhododendron Drive. In the City’s TSP there are specific improvement projects planned for Rhododendron Drive. Specifically, the two projects that apply to the frontage along the subject property are PRJ-17E and MU-1C. The former project calls for Rhododendron Drive to be constructed to arterial standards and the latter calls for a 12-foot-wide multi-use path from North Jetty Road to Heceta Beach Road. Being that Rhododendron is a street abutting the development, the applicant is responsible for planned improvements as listed in the City’s TSP. As such, prior to final plat application the applicant shall either sign an Improvement Guarantee (non-remonstrance) as provided for in accordance with FCC 10-36-2-2 for future improvements or pay a fee-in-lieu. **(Condition 5)**

MU-1C	Rhododendron Drive Multi-Use Path – N Jetty Road to Heceta Beach Road	Provide a separated 12-foot multi-use path from N Jetty Road to Heceta Beach Road (see Rhododendron Drive standard cross-section from 9 <sup>th</sup> Street to Heceta Beach Road).	\$645,000	2026-2035	City
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PRJ-17E	Rhododendron Drive Roadway Improvements – N Jetty Road to Heceta Beach Road	Construct the Rhododendron Drive standard arterial cross-section for this segment. In sections where right-of-way, topography, or other constraints preclude the construction of the standard cross-section, the alternative cross-section may be used.	\$ 301,000	2026-2035	City
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**C. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable road authority. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets.**

FINDING: The proposed subdivision will necessitate the development of a new street to serve the subdivision. The proposed street to serve the subdivision is proposed to be a total width of 50-feet. The newly constructed street will be constructed to local Florence street standards. A further discussion of the street construction standards will ensue later on in this report.

**D. All new public streets and alleys shall be paved per the City of Florence Standards and Specifications document. Alleys may also be improved with porous concrete, porous asphalt, permeable pavers such as turf concrete, brick pavers or other materials approved by the City. The City does not maintain alleys.**

FINDING: The new street will be constructed and paved per the City of Florence Standards and Specifications document, as modified should the request for reduced street width be approved. Alleys are not proposed as part of the subdivision.

**10-36-2-2: Improvement Guarantee: The City may accept a future improvement guarantee (e.g., non-remonstrance agreement, which certifies that the owner and their successors will not to object to the formation of a local improvement district in the future) in lieu of street improvements if one or more of the following conditions exist:**

**A. A partial improvement does not create a potential safety hazard to motorists, bicyclists, or pedestrians.**

**B. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, reduce street safety or capacity.**

**C. The improvement would be in conflict with an adopted capital improvement plan.**

**FINDING:** Condition 5, discussed earlier, speaks to the above criteria.

MU-1C	Rhododendron Drive Multi-Use Path – N Jetty Road to Heceta Beach Road	Provide a separated 12-foot multi-use path from N Jetty Road to Heceta Beach Road (see Rhododendron Drive standard cross-section from 9 <sup>th</sup> Street to Heceta Beach Road).	\$645,000	2026-2035	City
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PRJ-17E	Rhododendron Drive Roadway Improvements – N Jetty Road to Heceta Beach Road	Construct the Rhododendron Drive standard arterial cross-section for this segment. In sections where right-of-way, topography, or other constraints preclude the construction of the standard cross-section, the alternative cross-section may be used.	\$301,000	2026-2035	City
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**10-36-2-9: Street Location and Connectivity:**

**All street stubs over 150 feet in length shall be provided with a temporary turn-around unless specifically exempted by the Fire Marshal, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.**

- 1. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.**
- 2. Developer shall install a Type III barricade at the end of the street. The barricade shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street.**
- 3. Temporary street ends shall provide turnarounds (e.g., hammerhead or bulb-shaped configuration) constructed to Oregon Fire Code standards for streets over 150 feet in length.**

**FINDING:** The applicant has requested a modification to the connectivity standards of 10-36-2-9. The adjacent property to the north is already developed with a single-family residence and does not provide street connectivity opportunities. The properties located immediately to the east of the property are already fully developed with homes and there are no existing street stubs to extend a street to connect with Leeward Drive. The property located to the south of the subject property is vacant and undeveloped and does have an opportunity for street connection should it be developed in the future. The applicant states they have made efforts to contact the abutting property owner to the south about coordination for future development, but those efforts have been unsuccessful to date.



Findings concur that the applicant's assertion that the properties to the north and east of the subject property are already developed and street connectivity to the north and east are not practical. However, the property to the south is vacant and undeveloped and planned as medium residential on the City's Comprehensive Plan Map; the property to the south is presently not in the city limits, but within the Urban Growth Boundary of Florence. By requiring street stubs to the property to the south of the subject property, connectivity to future residential developments is preserved. Further, the addition of a street stub to the south shortens the cul-de-sac length, thus negating the need for an 821-foot cul-de-sac length.

Should Planning Commission deny the requested modification to connectivity standards, the resultant stubbed street, if over 150-feet in length shall contain a temporary turn-around unless specifically exempted by the Fire Marshal, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land. Further, the terminus of the stubbed street shall have a Type III barricade at the end of the street. The barricade shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. **(Condition 6)**

**10-36-2-16: Sidewalks, Planter Strips, Bicycle Lanes: Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with applicable provisions of the Florence Transportation System Plan, Comprehensive Plan, adopted street plans, City of Florence Standards and Specifications and the following standards:**

- A. Sidewalks may be placed adjacent to the street or at the property line with planter strips where practicable, or as otherwise directed by the Public Works Director.**

FINDING: The applicant is proposing platting and dedication of a local street. At present the applicant's tentative subdivision plat shows a sidewalk on the north side of the proposed street to be constructed. Per FCC 10-36-2-5-A, the standard for local streets includes sidewalks on both sides; on-street parking is acceptable on one side of the street. As proposed, criterion conditionally met. The applicant shall submit revised plans that show 5 ft. wide sidewalks to be constructed on both sides of the proposed street. Sidewalk construction plans shall conform to the adopted standards for construction of sidewalks in the City of Florence, as contained in FCC 8-2-3. **(Condition 7)**.

- B. In areas with high pedestrian volumes, the City may approve a minimum 12-foot wide sidewalk area, curb tight, with street trees in tree wells and / or landscape planters.**

FINDING: The internal circulation of the subdivision is not anticipated to have high pedestrian volumes as by-in-large, the only pedestrians using the subdivision will be persons residing in the subdivision. The only uses that will occur in the subdivision are single-family residential.



- C. Bicycle lanes shall be constructed on all newly constructed arterial and collector streets as well as all arterial and collector streets that are widened to provide additional vehicular capacity, as indicated in the TSP, unless otherwise designated.**

FINDING: No newly constructed arterial or collector streets are necessary or proposed as part of the subdivision. Rhododendron Dr.'s (a minor arterial) standard section in 10-36-2-5-A provides for a multi-use path along the frontage of this project rather than separate bike lanes. Provision of this path is conditioned. Criterion not applicable.

- D. Sidewalks shall be provided on both sides of the street for all arterial and collector streets. Sidewalks shall be provided on at least one side of the street for local streets. Exceptions may be granted if the City determines that hillsides, drainage facilities, ditches, waters of the state, or natural landscapes are to be preserved, then sidewalks on one side or a multi-use path may be approved. Sidewalks are not required on T-courts (hammer-head).**

FINDING: The street to be constructed will be a local street, as such sidewalks must be provided on at least one side of the street. As seen on Sheet C2.0 of Exhibit C, sidewalks are proposed along the northern side of the street and to be 5-foot wide. Sidewalks must be in conformance with construction standards of FCC 8-2-3. Plans for sidewalk construction shall first be reviewed and approved by the Florence Public Works Department, prior to the issuance of building permits. If the limited street width on the entry pan handle (50 ft. wide) is not wide enough after providing the required pavement width, utility service area and stormwater facilities, one side walk may be permitted. If this is the case then a demarcated walkway shall be provided at the east end of the street stem between Lots 1 and 2 to connect pedestrians with the remaining sidewalk serving Rhododendron Dr. **(Condition 5.a)** Criterion met.

- E. Where practical, sidewalks shall be allowed to meander around existing trees if in conformance with the requirements of the Americans with Disabilities Act.**

FINDING: Sidewalks are not expected to meander around existing trees. All ADA ramps shall meet current standards at the time of installation. Addition engineering details shall be provided prior to construction of the ADA ramps to ensure that they will meet standards. **(Condition 5c)**

- F. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.**

FINDING: Maintenance of the proposed sidewalks will be the continuing obligation of the adjacent property owner. Criterion addressed. **(Informational 5).**

**10-36-3-E. Fire Protection:** All new development shall conform to the applicable provisions of the Oregon Fire Code. Developers shall provide verification of existing and proposed water service mains and hydrant flow supporting the development site. Fire flow analyses and plans for hydrants and water service mains shall be subject to review and approval by the Building Official or Fire Marshal.

FINDING: As seen on the revised Utility Plan (Exhibit D, Sheet 5.0), the applicant is proposing to provide one fire hydrant (seen as Keyed Note #17). For compliance with FCC 10-36-3-E, prior to the issuance of building permits, the applicant shall provide verification of existing and proposed water service mains and hydrant flow supporting the site. Fire flow analyses and plans for hydrants and water service mains shall be subject to review and approval by the Building Official or Fire Marshal. **(Condition 8).**

**10-36-4: EROSION CONTROL:** In addition to standard City requirements for stormwater, erosion control and sand management, projects that disturb one (1) or more acres of land over a period of time, a National Pollution Discharge Elimination System (NPDES) Permit must be obtained from the Department of Environmental Quality prior to the issuance of a development permit or land use permit based on appropriate criteria.

FINDING: The project involves disturbance of more than 1 acre of land. The applicant shall obtain an NPDES permit from DEQ prior to issuance of development permit for the subdivision infrastructure. **(Condition 9).**

**10-36-5: UTILITIES:**

**1. Generally.** All new utility lines including, but not limited to, those required for electric communication, lighting, and cable television services and related facilities shall be placed underground; except for temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts and above.

**2. Subdivisions.** In order to facilitate underground placement of utilities:

**a.** The developer shall make all necessary arrangements with the serving utility to provide underground services. Care should be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic.

**b.** The City reserves the right to approve the location of all surface-mounted facilities.

**c.** All underground utilities, including water, sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of streets.

**d. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.**

FINDING: All new utility lines shall be undergrounded, and above ground equipment shall not obstruct vision clearance areas for vehicular traffic. **(Condition 10).**

**10-36-8-H: Warranty of Public Facilities: All public improvements shall be warranted against defects in materials and workmanship for a period of one year following acceptance of the improvements by the City. Once accepted, a minimum one (1) year warranty agreement on materials and workmanship shall be initiated between the City of Florence and the developer. A warranty bond or other financial security acceptable to the City in the amount of 12 percent of the original public improvement construction cost shall be maintained throughout the warranty period.**

FINDING: All public improvements shall be warranted against defects in materials and workmanship for a period of one year following acceptance of the improvements by the City. Once accepted, a minimum one (1) year warranty agreement on materials and workmanship shall be initiated between the City of Florence and the developer. A warranty bond or other financial security acceptable to the City in the amount of 12 percent of the original public improvement construction cost shall be maintained throughout the warranty period. The terms of the warranty and the warranty itself shall be provided to the Florence Planning Director prior to final plat approval. **(Condition 11).**

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## **TITLE 11, SUBDIVISION REGULATIONS**

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### **TITLE 11: CHAPTER 3: SUBDIVISION TENTATIVE PLAN PROCEDURE**

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#### **11-3-2: TENTATIVE PLAN REQUIREMENTS:**

- A. Application for tentative plan approval shall comply with application requirements of FCC 10-1-1-4.**

FINDING: This Tentative subdivision plat for the proposed 14-lot subdivision was filed in accordance with FCC 10-1-1-4. The application was deemed complete on December 3, 2021. These criteria are met.

- B. Drafting: The tentative plan shall show all pertinent information to scale. The drawing shall be on standard size sheets eighteen inches by twenty four inches (18" x 24"), and at scale of one inch equal to one hundred feet (1" = 100'). The scale may be increased or decreased if necessary, but in all cases the scale shall be standard, being 10, 20, 30, 40, 50 or 60 feet to the inch or multiples of ten (10) of any one of these scales.**

**Tentative plans for major partitions and subdivisions shall be proposed by a surveyor who is an Oregon registered engineer or Oregon licensed land surveyor. An affidavit of the services of said engineer or land surveyor shall be furnished as part of the tentative plan submitted.**

FINDING: As seen on Sheet C2.0 of Exhibit B, the Tentative subdivision plan has been prepared by an Oregon registered engineer at a scale of 1 inch = 40 feet. The plans were submitted electronically to scale. These criteria are met.

**C. Information Required: The application itself or the Tentative plan must contain the following information with respect to the subject area:**

- 1. Name and block numbering of proposed subdivision. Except for the words, "town", "city", "plat", "court", "addition" or similar words, the name shall be clearly pronounced different than, the name of any other subdivision in the County unless the subject subdivision is contiguous to and platted by the same party that platted the preceding subdivision bearing that name. All subdivisions must continue the block numbers of the subdivision of the same name last filed.**

FINDING: No block numbers are proposed. The applicant is proposing to name the subdivision "Stonefield Court," which is shown on Sheet C2.0 (Exhibit C). There is no other subdivision in the County with the same name. The name will be forwarded to Emergency Services for review and input prior to Final Plat approval. **Informational 6).**

- 2. The date, north point and scale of the drawing; a sufficient description to define the location and boundaries of the proposed subdivision or major partition area; and the names of all recorded subdivisions contiguous to such area.**

FINDING: The date, north arrow and scale are shown on the tentative plan. The location of the proposed subdivision is provided under the tentative plan's title. North Leeward Estates is a subdivision contiguous on the east side of this proposal. The final plat application shall contain the names of contiguous subdivisions, such as North Leeward Estates. Furthermore, what are labeled Parcels on revised Sheet C2.0 in Exhibit C1 shall be relabeled as Lots on the final subdivision plat draft. **(Condition 12.a)**

- 3. The names and addresses of the owner and engineer or surveyor.**

FINDING: The Sheets submitted for preliminary subdivision plan approval contain the name and address of the engineer. However, the name and address of the property owner is not on the Sheets. The final plat shall contain an Owner's Declaration recital, complete with the name and address of the property owner in accordance with FCC 11-3-2-C3 and the platting standards of ORS 92 for subdivisions. **(Condition 12).**

**4. The location of existing and proposed right-of-way lines for existing or projected streets as shown on the Master Road Plan.**

FINDING: The location of proposed and existing right-of-way lines are shown on the Tentative plan and accompanying Sheets. This criterion is met.

**5. The locations, names and widths of all existing and proposed streets and roads. Said roads and streets shall be laid out so as to conform to subdivisions and major partitions previously approved for adjoining property as to width, general direction and in other respects unless it is found in the public interest to modify the street or road pattern.**

FINDING: The location and width of the proposed street to be constructed to serve the subdivision is shown on Sheet C2.0, Exhibit C. The proposed street, as shown on the Tentative plan is 50.01-feet wide. The adjacent Rhododendron Drive, is shown on the Tentative plan and contains a right-of-way width of 60-feet. There are no existing or planned streets from previous subdivisions or major partitions for which the proposed street to serve the subdivision can conform to. The applicant has applied to City Council for a deviation from the street naming conventions in the City of Florence. The naming of the street, in accordance with local and County standards will be a condition of approval and further addressed in this report, as applicable.

**6. Locations and widths of streets and roads held for private use, and all reservations or restrictions relating to such private roads and streets**

FINDING: No private streets or roads are proposed. All roads are identified for public dedication.

**7. The elevations of all points used to determine contours shall be indicated on the Tentative plan and said points shall be given to true elevation above mean sea level as determined by the City. The base data used shall be clearly indicated and shall be compatible to City datum, if bench marks are not adjacent. The following intervals are required:**

- Contour Intervals Ground Slope**
- 1' 0% to 5%**
- 2' 5% to 10%**
- 5' Over 10%**

FINDING: The elevations of all points used to determine contours were not seen on the Tentative plan. The Tentative plan submitted was sufficient for staff review. The final plat to be prepared and submitted for final approval shall contain the elevations of all points used to determine contours with the required intervals of 1' 0% to 5'; 2' 5% to 10%; and 5' over 10%. **(Condition 13)**

**8. The approximate grades and radii of curves of proposed streets.**

FINDING: The grade and road profile of the proposed street to serve the subdivision, is seen on Sheet C4.0 (Exhibit C). The applicant has revised the grade of the street from 18 percent down to 12 percent, in order to comply with FCC 10-36-2-15. The radius of the cul-de-sac to be at the end of the street is shown on Sheet C2.0, Exhibit C1.

**9. The approximate width and location of all reserve strips and all existing and proposed easements for public utilities.**

FINDING: A 5' wide Public Utility Easement (PUE) is shown on the Tentative plan on Revised Sheet C5 of Exhibit C2 north of the proposed right-of-way/sidewalk. The same 5' wide easement is illustrated on the properties in the revised C2. On parcels 8 and 9 there are 21' wide and 12' wide utility easements. No other easements are seen on the Tentative plan. Prior to final plat approval, the approximate width and location of all reserve strips (if indicated) and all existing and proposed easements for public utilities shall be shown on the final plat, consistent with the platting standards of ORS 92. **(Condition 14)**.

**10. The approximate radii of all curves**

FINDING: The radii of all proposed curves are shown on the Tentative plan (Sheet C2.0), This criterion is met.

**11. The general design of the proposed subdivision or major partition including the approximate dimensions of all proposed lots and parcels.**

FINDING: Approximate dimensions and lot sizes in square feet for all lots are shown on the Tentative plan (Sheet C2.0). This criterion is met

**12. The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all watercourses.**

FINDING: The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all watercourses, was not included on the applicant's tentative subdivision plan. If such areas exist on the site, the final plat should include these areas. **(Informational 7)**.

**13. The existing and proposed uses of the property including the location of all existing structures that the applicant intends will remain in the subject area.**

FINDING: The subject property is presently vacant and undeveloped. The property consists of wooded trees and brush. There are no existing structures on the property. The applicant has shown conceptual outlines of the single-family building footprints for the eventual homes to be sited on the proposed lots. Criterion met.

**14. The domestic water system proposed to be installed including the source, quality and quantity of water if from other than a public water supply.**

FINDING: The proposed water supply is from Heceta Water District. The preliminary utility (Revised Sheet C5.0, Exhibit C2) plan submitted with the accompanying Tentative plan shows the locations of a 6" PVC water line, water lateral line, and water meter boxes (seen as Keyed Notes 07, 08, and 09 on Sheet C5.0). All engineering water service plans will have to first be reviewed and approved by the Public Works Director or their designee, before the issuance of building permits. It is feasible for the applicant to provide domestic water to the proposed subdivision.

**15. All proposals for sewage disposal, flood control and easements or deeds for drainage facility including profiles of proposed drainage ways.**

FINDING: The applicant's materials were reviewed by the City's contract engineering firm, Civil West Engineering. In their comments, Civil West notes that Sheet C3 displays cuts and fills along with the proposed grading plan. The applicant shows a proposed 0-8' retaining wall on the southwest side of the site where cuts and fills appear to vary greatly. Civil West indicates the proposed cuts and fill plan is acceptable provided that more information is provided. The contract City Engineer will require more information on how the cuts and fills are going to be managed and contained, especially with the behavior of the sandy soils present in the area. A final grading and cut and fill plan shall be required to be reviewed and approved by the contract City Engineer, before the issuance of public infrastructure permits. **(Condition 15)**.

Sheet C3 also indicates that drainage will flow for the peak contour of 101' back onto city streets. The applicant has not shown how all stormwater will be treated and managed on site. This will be a condition of approval, prior to the issuance of public infrastructure permits. **(Condition 16)**.

The contract City Engineer has reviewed the preliminary utility plan and has no major concerns, but the planters and corresponding overflow pipes will need to be constructed per City of Florence Stormwater Standards and a blowoff may be required for the significant high point that will occur in both water main and the sewer force main.

All final engineering details and plans are subject to review, revision and approval by the Florence Community Department, Public Works Director and or City Engineer.

**16. All public areas proposed to be dedicated by the applicant and the proposed uses thereof.**

FINDING: Dedicated areas, which include (and are identified as) the streets are shown on the Tentative plan (Sheet C2.0). This criterion is met.



**17. All public improvements proposed to be made or installed and the time within which such improvements are envisioned to be completed.**

FINDING: All public improvements proposed to be made or installed are shown on submitted plans. All public improvements are subject to review and revision by the Florence Building Official, Public Works Director or City Engineer, prior to commencement of construction. Criterion met.

**18. If lot areas are to be graded, a plan showing the nature of cuts and fills and information on the character of the soil.**

FINDING: The applicant has submitted a preliminary grading plan, as seen on Sheet C3.0 of Exhibit C. A final grading plan will be required as a condition of approval. The final grading plan is subject to review and comment by Public Works and/or Engineering.

**19. A legal description and drawing of the boundaries of the entire area owned by the applicant of which the proposed subdivision or major partition is a part, provided that where the proposal comprises all of such area, an affidavit of such fact shall accompany the Tentative plan.**

FINDING: The boundary of the area is shown and described on the Tentative plan (Sheet C2.0, Exhibit B). The applicant provided a legal description of the property but it is not included on the tentative plan. The final plat that is prepared shall contain a legal description in accordance with ORS 92. **(Condition 17)**.

**11-3-3: REVIEW OF TENTATIVE MAJOR PARTITION OR SUBDIVISION: Within five (5) working days after the major partition or subdivision tentative plan is duly submitted, the Planning Director shall distribute copies thereof to the City Manager, to each public utility, the County Health Department, and to each government subdivision that may be affected by the major partition or subdivision proposal for review, comments and recommendations. If no written response is received by the Planning Director within thirty (30) days, it shall be assumed that the agency(s) approves of the proposal as submitted unless an extension is requested.**

FINDING: The revised tentative subdivision plan was received by the City of Florence on December 3, 2021. In October a preliminary was provided that needed additions to be deemed complete. Referrals were sent to utilities on October 18, 2021, meeting the criterion.

**11-3-4: APPROVAL OF TENTATIVE SUBDIVISION:**

**After giving notice as required by FCC 10-1-1-6, the Planning Director or its designee shall grant approval or deny the subdivision tentative plan. The**



hearing decision and further consideration of a similar application shall be reviewed under a Type II process as defined by paragraph 10-1-1-6 of this Code. If approval involves implications of new or modified standards or policy, the Planning Commission and not its designee shall render a decision. Approval shall be based on compliance with the following criteria.

- A. **When the division of land results in remaining lots that are equal to or greater than twice the minimum lot size of the base zone, the application shall label it as a “Tract” and reserve it for open space as applicable or indicate the location of lot lines and other details of layout that show future land division may be made without violating the requirements of this land use code. In either scenario the tract(s) or future lot layout shall not interfere with the orderly extension of adjacent streets, bicycle paths, and accessways.**

FINDING: All of the lots are sized to meet the Low Density District. The proposed land division will result in six lots that are equal to or greater than twice the minimum lot size of the base Medium Density zone and in some cases three or more times greater. The applicant has illustrated the intended setbacks for the lots to develop them as single family detached. The resulting layout of the lots would accommodate future partitioning on Lots 11-14. Lot 9 could also be split and meet the cul-de-sac lot frontage requirement. All of this being considered, there is room to reduce lot size and provide connectivity to the south, which is discussed later. Criterion are met.

- 1. **Any restriction of buildings within future street, bicycle path and accessway locations shall be made a matter of record in the tentative plan approval.**

FINDING: There are no buildings proposed within future street, bicycle paths and accessway locations. Criterion not applicable.

- B. **All proposed lots comply with the development standards of the base zone.**

FINDING: As found earlier in this report under FCC 10-10-4, the proposed 14-lots meet the development standards of the underlying zone which is Medium Density Residential (MDR).

- C. **Adequate public facilities are available or can be provided to serve the proposed parcels.**

FINDING: Adequate public facilities are available or can be provided to serve the proposed lots. The proposed subdivision will be served by Heceta District water and City sewerage services. Refer to Sheet C5.0 for the applicant’s utility plan (Exhibit C2). Criterion met.

- D. **The application provides for the dedication or conveyance of public rights-of**

**way or utility easements necessary and adequate to meet the standards of the applicable master plan.**

FINDING: A newly constructed local street will be dedicated as part of the subdivision. The street will be built to local standards in accordance with the local street standards as contained in the TSP and FCC 10-36-2-5-A. As addressed in this report, the applicant has requested a modification to the minimum street right-of-way standard of 60-feet. As discussion of the requested modification is provided for later in this report. Criterion met.

- E. The tentative plan complies with the requirements of this Title, all applicable provisions of the Oregon Revised Statutes including ORS Chapter 92, the Florence Zoning Ordinance, the Florence Comprehensive Plan and Policies, as well as the intent and purpose of this Title.**

FINDING: Because the proposed subdivision application includes modifications, the application is being processed as a Type III review and will require a public hearing and determination by the Planning Commission. The Tentative plan submitted by the applicant is sufficient for staff review. The final plat submitted to obtain final plat approval, shall be prepared in conformance with ORS 92. Criterion addressed.

**11-3-6: TENTATIVE PLAN, EFFECTIVE DATE:**

**Unless appealed, the Planning Director decisions under this chapter shall become effective on the thirty first day after rendered. The applicant may then proceed with final surveying and preparation for final approval consideration of the subdivision plat. Tentative plan approval shall be effective for two years, unless approved as a phased subdivision tentative plan consistent with Section 11-3-8, within which time the application and subdivision plat must be submitted as required by this Title. An applicant may apply to the Planning Director for two (2) extensions of twelve (12) months each. A decision to extend the approval shall be 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; and**
- C. No material changes of surrounding land uses or zoning has occurred.**

**Otherwise the entire procedure must be repeated for reconsideration in light of changed conditions that may exist.**

FINDING: If Planning Commission provided tentative subdivision plan approval, the approval will be valid for two years from the effective date of approval. The effective date of approval is following exhaustion of all appeal periods. An extension of the two-year tentative approval may be applied for by the applicant in accordance with 11-3-6. (Conditioned elsewhere)

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## **11-5 PLATTING AND MAPPING STANDARDS**

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### **11-5-1: STREETS:**

- A. All streets shall comply with applicable development standards of Title 10 Chapter 36, Street Standards.**

Street standards from Title 10, Chapter 36, Public Facilities, are discussed below.

**FINDING:** The subdivision will involve the creation of a new street to be dedicated to the City after completion, inspection and acceptance. The applicant proposes a 50' wide right-of-way dedication that includes 20' pavement width and one sidewalk. The Local Street standards are 60' right-of-way dedication consisting of 28' or 34' pavement widths and two sidewalks. On-street parking of vehicles is permitted on both or one side of local streets, hence the 28' or 34' pavement width. The developer has discretion in deciding which side of the street on-street parking will be permitted if single lane parking is permitted.

Streets shall be constructed to the local street standards of FCC 10-36-2-5-A, specifically Local Street. The panhandle of the property may be a dedicated 50' right-of-way width constructed with 28 ft. pavement width with sidewalks on both sides unless reduced under Condition 5a after which 60' wide right-of-way shall be dedicated starting at the common lot line of Lots 1 and 2 constructed with 34' wide pavement width and sidewalks on each side. Street improvement plans relating to the construction of new rights-of-way shall be reviewed and approved by Public Works and Community Development, prior to issuance of the public improvement plan approvals and construction. Plans for public improvements are subject to revision by the City of Florence. **(Condition 5b)**

- B. Slope Easements: Slope easements shall be dedicated in accordance with specifications adopted by the City Council under Section 11-5-1 of this Title.**

**FINDING:** To the extent that slope easements are necessary for the site, slope easements shall be dedicated in accordance FCC 11-5-1. No proposed slope easements are seen on the tentative subdivision plan **(Informational 8)**.

- C. Reserve Strips: The Planning Commission may require the applicant to create a reserve strip controlling the access to a street, said strip to be placed under the jurisdiction of the City Council and the Planning Commission, when the Planning Commission determines that a strip is necessary:**

1. To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street; or
2. To prevent access to the side of a street on the side where additional width is required to meet the right of way standards provided in the table under subsection B2 above; or
3. To prevent access to land abutting a street of the partition or subdivision, but not within the partition or subdivision itself; or
4. To prevent access to land unsuitable for building development.

**FINDING:** A reserve strip is required because of a denial of the applicant's request for a modification to the connectivity standards. This means the applicant shall plat and construct a street stub to the southern property line, effectively providing future connectivity and access to the vacant and undeveloped parcel to the south. A reserve strip shall be included in the final plat application. Reserve strip are commonly shown as a 1-foot buffer of land, extending the entire width of the right-of-way, that is deeded to the City. Until such time that the City authorizes access over the reserve strip onto the abutting parcel. Prior to issuance of the public improvement plan approvals the applicant shall submit a revised tentative subdivision plan showing right-of-way access dedicated to the south; the plan shall show the required reserve strip. **(Condition 18).**

#### **11-5-2: LOTS AND PARCELS:**

##### **A. Size and Frontage:**

1. **General Requirements:** Each lot shall have a minimum width and depth consistent with the lot width and depth standards for the appropriate zoning district.
2. **Area:** Minimum lot size shall be in conformance with the provisions of the Florence Zoning Ordinance. Where either a community water supply or sewer system are not presently provided, the lot area shall be sufficient to meet State and County health standards and the lot area shall be at least twice the number of square feet normally required in the zoning district where the lot is located. Where an oversize lot as described above is required due to lack of services, the Planning Commission may require the developer to submit a plan for later division of said lot(s) into standard six thousand five hundred (6,500) or nine thousand (9,000) square foot lots.
3. **Frontage:** Each lot shall have frontage upon a street of not less than the required minimum lot width for the underlying zone and development type, except that a lot with a required minimum width of fifty feet (50') located on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than thirty five feet (35') upon a street, measured on the arc. Where wither a public water supply or public sewers are not presently provided, the lot frontage shall be

**sufficient to insure an adequate sized lot to meet State and County requirements.**

FINDING: The subject property is zoned Medium Density Residential (MDR). Per Table 10-10-4-A, the minimum width in the MDR zone for single family detached is 50-feet and the minimum depth is 80-feet. As seen on the Tentative subdivision plan, all proposed lots exceed the minimum lot depth and width. These criteria, including lot frontage onto a right-of-way, are met.

In the MDR zone, the minimum lot size is 5,000 square feet. As seen on the Tentative subdivision plan, the area of the proposed lots range from 8,571 square feet to 23,174 square feet.

Parcel 8 contains 35-feet of frontage on the cul-de-sac. These criteria are met.

**B. Exceptions:**

1. **Subdivisions and Partitions Developed as a Unit: The Planning Commission may in its discretion authorize the relaxation of the lot size and frontage requirements specified herein where the applicant presents a plan satisfactory to the Planning Commission whereby the entire subdivision or partition will be designed and developed with provision for proper maintenance of open space, recreation and parklands and will be commonly available for recreation and park purposes to the residents of the subdivision or partition, and which the Planning Commission determines will be of such benefit to said residents as is equal to that which would be derived from observance of the lot size and frontage requirements otherwise specified, and will be in accordance with the purpose of this Title.**

FINDING: The applicant is not seeking a relaxation from lot size or lot frontage requirements. Criterion not applicable.

**11-5-3: PUBLIC FACILITIES:**

**All utilities shall comply with applicable development standards of Title 10 Chapter 36 and Title 9.**

FINDING: The applicant has not provided details or plans as to how stormwater drainage will be handled and treated. Stormwater Designs for the proposed subdivision will be required to be in line with the City's adopted Green Streets standards, which are outlined in the City's Stormwater Design Manual. The City is agreeable to the applicant taking the Presumptive Approach to Green Streets, as outlined in Section 4.2.2 of the Stormwater Design Manual. Applicants using the Presumptive Approach must submit a Stormwater Management Plan, an Operations and Maintenance Agreement and an Operation and Maintenance Plan. Per Section 4.2.3 of the Stormwater Design Manual, these three Plans may be included as part of the required Performance Agreement for the subdivision. The Best Management Practices for Green Streets Stormwater Design

is shown on detail SW-301 of the Stormwater Design Manual. The submittal of these Plans for review and approval by the Florence Building Department will be a condition of approval, prior to the issuance of building permits. **(Condition 19).**

**FINDING:** Sanitary sewer service is available to the property however, the property owner(s)/developer(s) are to pay for the sewer main extension, manholes, construction, connection fees, engineering fees, street opening permits and any other fees necessary for the connection to the public sewer system for the project. **(Condition 20).**

Water: development permits for water improvements shall not be issued until the Heceta Water District Manager or their designee has approved all water plans in conformance with District standards. **(Condition 21).**

Stormwater: Planter strips are to be the maintenance responsibility of the property owner. Development permits for stormwater drainage improvements shall not be issued until the Public Works Director or their designee has reviewed and approved them. Stormwater drainage improvements shall be in conformance with City standards, and Florence Code Title 9 Chapters 2, 3 and 5. Green Streets stormwater design criteria shall be utilized by the developer in accordance with the Stormwater Design Manual of the City of Florence. **(Condition 22).**

Final construction plans and utility facility specifications are required to be submitted for City review and approval prior to commencing construction. City reserves the right to relocate water services, fire hydrant locations, and sewer lateral locations prior to construction plans being finalized. **(Condition 23).**

The applicant will be expected to proceed with final survey and to make preparations for final subdivision approval within the timeframes outlined in Title 11 Chapter 3-6 & Chapter 4-4 & 4-6 unless otherwise provided for through approved and allowed extensions from the Planning Director. This tentative plan shall expire within two years of the effective date February 25, 2024 unless an extension request is received and approved.

**11-5-4: PARTIAL DEVELOPMENT:**

**Where the subdivision or partition includes only part of the tract owned by the applicant, the Planning Commission may require a sketch of a Preliminary layout of streets in the remainder of said ownership.**

**FINDING:** Partial development of the subdivision is not proposed. Criterion not applicable.

**11-5-5: UNSUITABLE AREAS: Areas identified in the Florence Comprehensive Plan as having designated or protected natural areas or potential hazards due to erosion, landslides, stream flooding, ocean flooding or other natural hazards shall not be divided in a manner that would be dangerous to the health and safety**

of those who would live in said areas, the general public, or natural values which have been protected.

- A. All major partition and subdivision applications shall be reviewed by the City, using the Phase I checklist contained in Site Investigation Reports by Wilbur E. Ternyik, published by OCZMA.
- B. Where problem areas are identified in the Phase I checklist, a full-scale Phase II site investigation will be required covering only those problem areas identified in the Phase I checklist. This site investigation must be prepared and paid for by the applicant. Before approval would be granted the site investigation would have to prove either:
  - 1. That upon specific examination of the site, the condition which was identified in the Comprehensive Plan Inventory did not exist on the subject property; or
  - 2. That harmful effects could be mitigated or eliminated through, for example, foundation or structure engineering, setbacks or dedication of protected natural areas.
- C. Specifically, areas shown on the Hazards Map and the Soils Map of the Comprehensive Plan will require a Phase II site investigation report. Studies which have been adopted or included in the Comprehensive Plan by reference or studies done subsequent to the adoption of the Plan may be used to determine when a site investigation report is needed.

FINDING: The SIR is being reviewed concurrently under file number SR 21 42 SIR 12. A discussion of the SIR is not included in this report.

**11-3-6: TENTATIVE PLAN, EFFECTIVE DATE:** Unless appealed, the Planning Director decisions under this chapter shall become effective on the thirty first day after rendered. The applicant may then proceed with final surveying and preparation for final approval consideration of the subdivision plat. Tentative plan approval shall be effective for two years, unless approved as a phased subdivision tentative plan consistent with Section 11-3-8, within which time the application and subdivision plat must be submitted as required by this Title. An applicant may apply to the Planning Director for two (2) extensions of twelve (12) months each. A decision to extend the approval shall be 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; and C. No material changes of surrounding land uses or zoning has occurred. Otherwise the entire procedure must be repeated for reconsideration in light of changed conditions that may exist.

The applicant will be expected to proceed with final survey and to make preparations for final subdivision approval within the timeframes outlined in Title 11 Chapter 3-6 & Chapter 4-4 & 4-6 unless otherwise provided for through approved and allowed extensions from the Planning Director. This tentative plan shall expire on January 25, 2024 unless an extension request is received and approved. **(Condition 24)**

**11-7-1: APPLICATION FOR MODIFICATION:**

**A. Time for Submitting Application: Concurrently with submitting a tentative plan to the Planning Director for Planning Commission consideration and approval, an applicant may submit to the secretary of the Planning Commission an application for a modification of any provision of Chapters 2 through 6 of this Title and Chapter 36 of Title 10. (Amd. Ord 30, Series 1990).**

**FINDING:** On December 22, 2021, the applicant submitted supplemental materials requesting modification. The applicant's modification materials are included in this report as Exhibit J. Specifically, the applicant has requested a modification for the following standards:

- Right-of-way width (FCC 10-36-2-5)
- Cul-de-sac length (FCC 10-36-2-6)
- Street connectivity (FCC 10-36-2-9)

Each modification request is addressed and analyzed below separately.

**B. Contents of Application: An application for a modification shall be a verified petition stating the provision sought to be modified and stating facts showing that:**

1. **Such provision, if strictly applied, would cause unique and unnecessary hardship to the applicant in subdividing or partitioning the subject area; and that**
2. **Modifications of such provision(s) would not be contrary to the purpose of this Title for the reason that:**
  - a. **Where the application is for a modification of any provision of Chapters 5 or 6 of this Title, unusual topographic conditions or previous layout of the partition or subdivision area or neighboring area reasonably require such modification and such modification will not be substantially injurious to the public interest and the best use and value of property in the neighboring area; or**



- b. **Where the application is for a modification of any provision of Chapters 2 through 4 of this Title, the purpose of such provision has been fulfilled without a strict application thereof, and the interest of the public in efficient transaction of public business will best be served by such modification.**

FINDING: Addressing the requested modification to right-of-way width, the subject property is a 'panhandle'-shaped parcel with an approximately 50-foot-wide leg providing access to Rhododendron Drive. The applicant contends that due to limited property width, a 60-foot-wide right-of-way is not possible.

With respect to FCC 11-7-1-B-1, the applicant states requiring a 60-foot-wide right-of-way would create an unnecessary hardship because the additional area, to accommodate a 60-foot-wide right-of-way is not available.

With respect to FCC 11-7-1-B-2, the applicant states the requested modification to the right-of-way width would not be injurious to the public interest and that pedestrian safety and connectivity is still maintained by the proposed sidewalk on the north side of the proposed street which balances public safety with the best use of the property. In addition, and if approved by the City, the minimum throat length for a cul-de-sac is 50-foot, which is what's being proposed.

Analysis of the requested modification to right-of-way width.

It is true the subject property has a panhandle shaped leg that front Rhododendron Drive for a width of approximately 50-feet, so there exists an ownership constraint within the 50-foot wide panhandle, however travelling east of the panhandle into the main portion of the property, the property widens and has approximately 300-feet of width, so there is adequate room to adjust the proposed lots in order to construct a right-of-way to the 60-foot standard in accordance with the adopted local street standards of FCC 10-36-2-5-A. T Planning Commission grants the modification to allow for the panhandle to remain approximately 50-feet in width, but requires via a condition of approval, the full 60-feet of right-of-way past the panhandle. The Fire Marshall has reviewed the proposal and verbally supported the change to 60' wide requirement.

FINDING: Addressing the requested modification to the cul-de-sac length, the width of the subject property is approximately 300-feet, which the applicant contends limits the street configuration to a cul-de-sac street. The applicant contends that efficient use of the property requires the cul-de-sac length to exceed the maximum length of 400-feet. The proposed length of the cul-de-sac is 821-feet.

With respect to FCC 11-7-1-B-1, the applicant states this criterion is met because strict application of the code standard would create an unnecessary hardship due to the limited property size and shape which does not allow alternatives to a cul-de-sac street layout.

With respect to FCC 11-7-1-B-1, the applicant states that because of the shape and limited size of the property, the requested modification to cul-de-sac length is required. The applicant's proposed 821-foot-long cul-de-sac will balance public safety and the best use and value of the property.

Analysis of the requested modification to cul-de-sac length.

As is discussed below in regard to the modification from the street connectivity standards of FCC 10-36-2-9-B, the need for a cul-de-sac length of 821-foot is no longer necessary with the implementation of a street stub located near the southern boundary of the subject property that effectively preserves future street connectivity with the undeveloped, vacant, unplatted and planned medium density residential property. With the introduction of a southern street stub the cul-de-sac length is shortened. As such, the applicant shall submit a revised Tentative subdivision plan and street profile showing the introduction of a stubbed street along the southern property line providing future connectivity and access to tax lot 03900 and a cul-de-sac length of no longer than 400-feet, in accordance with FCC 10-36-2-6-A. The applicant's modification request for a cul-de-sac length of 821-feet is not substantiated and is denied.

FINDING: Addressing the requested modification to street connectivity, the adjacent property to the north is already developed as a single-family subdivision and does not provide street connectivity opportunities. The properties located immediately to the east of the property are also already fully developed with homes and there are no existing street stubs to push through a street to connect with Leeward Drive. The property located to the south of the subject property is vacant and undeveloped and does have an opportunity for street connection should it be developed in the future. The applicant states they've made efforts to contact the abutting property owner to the south about coordination for future development, but those efforts have been unsuccessful to date.

Analysis of the requested modification to street connectivity.

The applicant states the properties to the north and east of the subject property are already developed and street connectivity to the north and east are not practical. However, the property to the south is vacant and undeveloped and planned as medium residential on the City's Comprehensive Plan Map; the property to the south is presently not in the city limits, but within the Urban Growth Boundary of Florence. By requiring street stubs to the property to the south of the subject property connectivity to future residential developments is preserved. Further, the addition of a street stub to the south shortens the cul-de-sac length, thus negating the need for an 821-foot cul-de-sac length. The applicant's request for a modification from the street connectivity standards of FCC 10-36-2-9-B, which requires street stubs whenever a proposed development abuts unplatted land, which is the situation with the property located south of the subject property is unsubstantiated and is denied. The final plat application and public improvement plans shall incorporate street connectivity in accordance with 10-36-2-9-B. Review and approval of the public improvement plans are required prior to reviewed

and approved by the Florence Planning and Public Works Directors, prior to construction of infrastructure. **(Condition 25)**

- C. Concurrent with its consideration of the application for tentative plan approval and subject to the same procedures and effective dates, the Planning Commission or its designee shall consider the application for modification. Approval of the application for modification shall be granted provided affirmative findings can be made for the criteria in paragraph B of this section and provided the tentative plans are also approved.**

FINDING: Staff sought Planning Commission's review and determination on the three above requested modifications. Planning Commission may grant or deny the modifications based on the standards of FCC 11-7-1-B.

---

## **VI. INFORMATIONALS**

1. Lot coverage cannot be verified at this time because there are no development plans for the expected single-family dwellings. Lot coverage will be verified for each lot during the building permit process.
2. Yard regulations cannot be verified at this time. Yard regulations will be verified at the time of building permit submittal for each dwelling to be located on the lots.
3. The standards of FCC 10-10-5.A.1-4 will be reviewed at the time of building permit submittal for each dwelling that is to be located on the proposed lots
4. The lighting standards that will apply to the proposed subdivision will be the street light standards of FCC 10-36-2-23. Street lights will be required as part of the subdivision. Individual lighting at each of the proposed lots will be reviewed as part of the individual building permit process for each lot.
5. Maintenance of the proposed sidewalks will be the continuing obligation of the adjacent property owner.
6. The applicant is proposing to name the subdivision "Stonefield Court," which is shown on Sheet C2.0 (Exhibit C). There is no other subdivision in the County with the same name. The name will be forwarded to Emergency Services for review and input prior to Final Plat approval.
7. The approximate location of areas subject to inundation or storm water overflow, all areas covered by water, and the location, width and direction of flow of all watercourses, was not included on the applicant's tentative subdivision plan. If such areas exist on the site, the final plat should include these areas.

8. To the extent that slope easements are necessary for the site, slope easements shall be dedicated in accordance FCC 11-5-1. Staff note no proposed slope easements are seen on the tentative subdivision plan.

**VII. CONCLUSION—Planning Commission decision at the conclusion of the hearing**

The application for PC 21 30 SUB 02 meets or can meet the requirements of City Code with conditions, provided these conditions of approval are met. The Conditions are stated in Resolution PC 21 30 SUB 02.

OR—

The proposed application does not meet the requirements of City Code and is denied.

**VIII. EXHIBITS**

- “A” Findings of Fact
- “B” Narrative & Application
- “C” Preliminary Sheets C0.0 to C5.0
- “C1” Revised Sheet C2.0
- “C2” Revised Sheet C5.0
- “D” Referral Comments – SVFR, Civil West and Public Works

City of Florence  
Community Development Department  
250 Highway 101  
Florence, OR 97439

Re: Narrative for Tentative Subdivision and Modification Application  
Stonefield Court Subdivision – TL 1812044403800

Johnson Broderick Engineering, LLC, is pleased to submit this application on behalf of Robbie Wright for Tentative Subdivision Plan approval (FCC Title 11, Chapters 1,3,& 5) and Modification to requirements (FCC Title 11, Chapter 7). The subject property is 4.5 acres in size and zoned Medium Density Residential.

The proposal substantially complies with the platting and mapping standards (FCC 11-5) as shown on the supporting documents. The maximum street grade of 18% shown on Sheet C4 has been adjusted to 12% to comply with FCC 10-36-2-15 and will be reflected on the final plans. The following exceptions require an Application for Modification to FCC 11-5-1 Streets in accordance with FCC 11-7;

- Right of way width (FCC 10-36-2-5)
- Cul-de-sac length (FCC 10-36-2-6)
- Street connectivity (FCC 10-36-2-9)

***Application for Modification (FCC 11-7-1)***

***11-7-1-B. Contents of Application: An application for a modification shall be a verified petition stating the provision sought to be modified and stating facts showing that:***

- 1. Such provision if strictly applied, would cause unique and unnecessary hardship to the applicant in subdividing or partitioning the subject area; and that***
- 2. Modifications of such provision(s) would not be contrary to the purpose of this Title for the reason that:***

- a. Where the application is for a modification of any provision of Chapters 5 or 6 of this Title, unusual topographic conditions or previous layout of the partition or subdivision area or neighboring area reasonably require such modification and such modification will not be substantially injurious to the public interest and the best use and value of property in the neighboring area***

### **Right-of-way width (FCC 10-36-2-5)**

The subject property is a panhandle shaped parcel with an approximately 50-foot wide leg providing access to Rhododendron Drive. Due to the limited property width, a 60-foot wide right-of-way is not possible.

Criteria 11-7-1-B-1 is met because strict application of the code would create unnecessary hardship on the applicant because additional area is not available to support a 60-foot wide right-of-way.

Criteria 11-7-1-B-2 is met because the limited width of the property requires this modification and the applicants' proposed 50-foot wide right-of-way provides a pedestrian sidewalk on the north side of the street which balances public safety with the best use and value of the property. In addition, FCC 10-36-2-6 allows a 50-foot right-of-way for cul-de-sacs if approved by the City.

### **Cul-de-sac length (FCC 10-36-2-6-A)**

The width of the subject property is approximately 300 feet which limits the street configuration to a cul-de-sac street. Efficient use of the property requires the cul-de sac length to exceed the maximum length of 400 feet. The proposed cul-de-sac length is 821 feet.

Criteria 11-7-1-B-1 is met because strict application of the code would create unnecessary hardship on the applicant due to the limited property size and shape which does not allow alternatives to a cul-de-sac street layout.

Criteria 11-7-1-B-2 is met because the shape and limited size of the property requires this modification and the applicants' proposed 821 feet long cul-de-sac street will balance public safety with the best use and value of the property.

### **Street connectivity (FCC 10-36-2-9)**

The adjacent property to the north is already developed as a single-family residence and does not provide street connectivity opportunities. The adjacent property to the east is already developed as a subdivision without a street stub provided. The property to the south is currently undeveloped and unannexed with no know plans for future development at this time. The southern property abuts Rhododendron Drive with an opportunity for street connection should it be developed in the future. Efforts have been made by the applicant to contact the property owner and coordinate development plans with no success.

Criteria 11-7-1-B-1 is met because strict application of the code would create unnecessary hardship on the applicant due to the loss of a buildable lot without the guarantee that the street stub would be used in the future.

Criteria 11-7-1-B-2 is met because the neighboring properties do not provide a logical street connectivity opportunity and the applicants proposal is a reasonable alternative that does not compromise public safety or limit the best use and value of property in the neighboring area.

In conclusion the required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the Florence City Code. The applicant respectfully requests that the City approve this application.

Digitally Signed 21.12.20

Sincerely,



Aaron M. Broderick, P.E.

Principal, Johnson Broderick Engineering, LLC



Expires: 2021.12.31





*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](http://www.ci.florence.or.us)

### Type of Request

- Preliminary Planned Unit Development (PUD) (Florence City Code Title 10, Ch-23)  
 Tentative Subdivision Plan (Florence City Code Title 11, Ch-1, 3, 5 & 7)  
 Modification to requirements (Title 10, Chapter 36 or Title 11)

### Applicant Information

Name: Robbie Wright Phone 1: [REDACTED]  
E-mail Address: [REDACTED] Phone 2: \_\_\_\_\_  
Address: [REDACTED]  
Signature: [Signature] Date: 10/1/2021  
Applicant's Representative (if any): \_\_\_\_\_

### Property Owner Information

Name: Stonefield Investments, LLC Phone 1: \_\_\_\_\_  
E-mail Address: [REDACTED] Phone 2: \_\_\_\_\_  
Address: [REDACTED]  
Signature: [Signature] Date: 10/1/2021  
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

Approved

Exhibit



Property Description

Assessor's Map No.: 18 - 12 - 04 - 44 Tax lot(s): 03800

Zoning District(s): Medium Density Residential

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): Single family residential

Project Description

Lot Size: 4.5 Acres Number of single family lots proposed: 14

Proposed Building Coverage if a PUD: \_\_\_\_\_

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

Timetable of proposed improvements: Completion within 2 years

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

See attached.

For Office Use Only:

Date Submitted: \_\_\_\_\_ Fee: \_\_\_\_\_

Received by: \_\_\_\_\_

Paid



## Other Information Required

Below is a check list of the required information to determine if an application is complete. The Florence City Code is available at City Hall or online at [www.ci.florence.or.us](http://www.ci.florence.or.us) (click on "City Code" which is located on the main page). You will also find the *Florence Transportation Plan*, *Downtown Architectural Guidelines*, *Highway 101 Access Management Plans*, *Stormwater Design Manual* and *Stormwater Management Plan* available on the City's Planning Department webpage or at the City Hall for review or purchase.

Note: Please submit an electronic copy of any plans submitted larger than 11" x 17"

Tentative Subdivision Plan drawn to scale, showing the following:

- Name and block numbering of proposed subdivision
- Date, north point, scale of the drawing,
- Description of the location and boundaries of the proposed subdivision or major partition area
- Names of all recorded subdivisions contiguous to the area
- Names and addresses of the owner and engineer or surveyor
- Locations, names, widths of all existing and proposed public and private streets and roads (includes right-of-way and pavement widths) & all reservations/restrictions relating to private roads & streets
- Grades and radii of curves of proposed streets
- Elevations of all points used to determine contours (given to true elevation above mean sea level) with base date used shall be clearly indicated and shall be compatible to City datum, if bench marks are not adjacent. Contours shall be in the following intervals:

Contour Intervals	Ground Slope
1'	0% to 5%
2'	5% to 10%
5'	over 10%

- Width and location of all proposed public utility easements
- Stormwater flows, location of existing storm lines, location of stormwater overflow and its impact down stream
- Location of sewer pipes, sizes, man holes, and elevations of existing and proposed pipes
- Water system proposed including source, pipe locations, sizes, meter locations & hydrants
- Width and location of all proposed sidewalks
- All public areas proposed to be dedicated by the partitioner and the proposed uses thereof such as reserve strips
- All public improvements proposed to be made or installed, and the time within which such improvements are envisioned to be completed
- A legal description of the boundaries of the entire area owned by the land owner of which the proposed land division is a part; provided, that where the proposed land division comprises all of such area, an affidavit of such fact shall accompany the application
- Dimensions of all proposed lots or/and parcels
- If lot areas are to be graded, a plan showing the nature of cuts and fills and information on the character of the soil

PUD Preliminary Development Plan, including the following

- An explanation of the character of the planned unit development and the manner in which it has been planned to take advantage of the planned unit development regulations.



- Map showing street systems, lot or partition lines and other divisions of land for management, use or allocation purposes.
- Areas proposed to be conveyed, dedicated or reserved for public streets, parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses.
- Open Space Plan . Refer to FCC 10-23-5-G for criteria
- Off-Street Parking and Loading Plan
- List of Design Team and Summary of Qualifications (FCC 10-23-7)
- A plot plan for each building site and common open space area, showing the approximate location of buildings, structures, and other improvements and indicating the open spaces around buildings and structures, excepting private single-family lots in a residential PUD.
- Elevation and perspective drawings of proposed structures.
- A development schedule indicating:
  - a. The approximate date when construction of the project can be expected to begin.
  - b. The stages in which the project will be built and the approximate date when construction of each stage can be expected to begin.
  - c. The anticipated rate of development.
  - d. The approximate dates when each stage in the development will be completed.
  - e. The area, location and degree of development of common open space that will be provided at each stage.
- Agreements, provisions or covenants which govern the use, maintenance and continued protection of the planned unit development and any of its common open space areas.
- The following plans and diagrams, insofar as the reviewing body finds that the planned unit development creates special problems of traffic, parking and landscaping.
  - a. An off-street parking and loading plan.
  - b. A circulation diagram indicating proposed movement of vehicles, goods and pedestrians within the planned unit development and to and from thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern shall be shown.
  - c. A landscaping and tree plan.

Additional Submittals, if not provided in plan or plat:

- Site Investigation Report (per FCC 10-7-3)
- Fire flows- For fire flow information, contact the Fire Marshal, Sean Barrett at (541) 997-3212.
- Signs (per FCC 10-6-6-D)- If proposing signs, (new or existing) provide a drawing or sketch to scale which includes: size, location, materials, colors, and illumination if any
- Title Report from a Title Company (per FCC 10-4-3-C and 10-6-6-E)- indicating liens, access and/or utility easements, legal description



- Survey (for Old Town Zoning District) (per FCC 10-17A-4-K-1-a, 10-17B-4-K-1-a, and 10-17C-4-K-1-a) A recent survey map drawn to scale which shows property lines, easements, 2' contours, existing structures (including height of sea-wall, if appropriate), floodplain & highest observed tide.
- Access permit (for properties accessing State or County Roads) (see FCC 10-35-2-4) A State or County complete access permit application is required. For properties along Highway 101 located between Highway 126 and the bridge along Highway 101 please refer to the *Highway 101 Access Management Plan*.
- Stormwater Plan:
  - Preliminary Development Plan (per FCC 9-5-2-A-4): (projects which are adding 500 square feet or greater of impervious surface area or clearing vegetation from 10,000 square feet or greater (single family homes are excluded) and under 1 acre per FCC 9-5-2-2-C) Shall include a general description of the proposed project property and description of existing structures, buildings, and other fixed improvements located on the property and surrounding properties. The plan shall also include natural water flow of the existing property, soils, storm water drainage, flooding from high groundwater table. The Plan also shall identify the features outlined in FCC 9-5-2-A-4.
  - A Stormwater Management Plan (per FCC 9-5-2-3): Stormwater Management Plan is required for projects over 1 acre is required with construction drawings, please refer to FCC 9-5-2-3 for submittal requirements.
- Traffic Impact Study. Please refer to FCC 10-1-1-4-D to see if a Traffic Impact Study is required.

Utility Plan:

List all utilities currently available to the site AND add this information to a utility plan map (See FCC 10-1-1-4-B-2).

*Note: For help identifying the location of utilities, please call Dig Safely Oregon at 1-800-332-2344 or dial 811. Call Public Works (541-997-4106) to determine the size of utility lines. Call the Fire Marshal (541-997-3212) to determine fire flows.*

Water Supply: 6 - inch line available from Heceta Water/Rhododendron (Street)  
 Sanitary Sewer: 8in/2in - inch line available from Gravity/Forcemain combo/Rhody (Street)  
 Storm Sewer:                      - inch line available from None Available (Street)

Check if available:  Telephone  Cable TV  Electrical  Other (Such as fiber optics)

Provide a plan drawn to common scale showing the location of existing and proposed buildings, existing and proposed utility services, location and size of water and sewer lines, drainage routes, manholes, meters, fire hydrants, fire flows, and 2' contours.

Lighting Plan:

Show location of each light fixture, diagram illustrating foot-candle distribution, and elevation drawing of each light fixture in conformance to FCC 10-37.

- Location of areas of scenic value, wildlife habitat, potential hazard areas (floodplains, geologic instability), wetlands, riparian areas or areas of special significance or within an overlay zone.

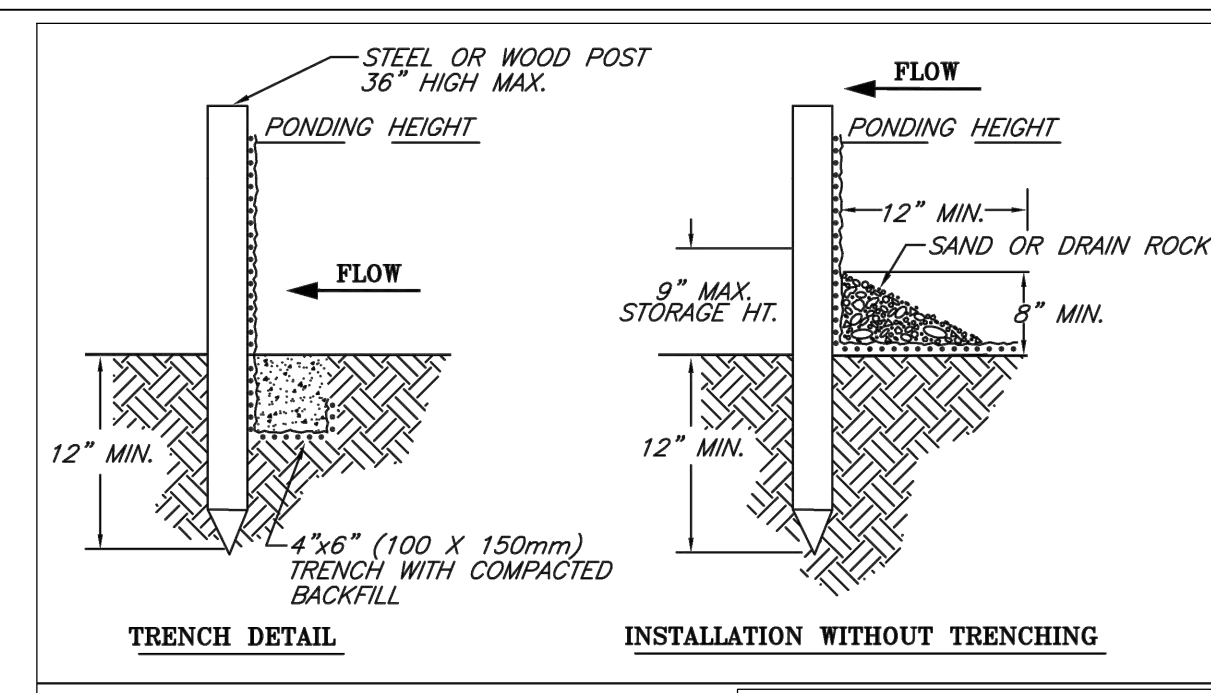
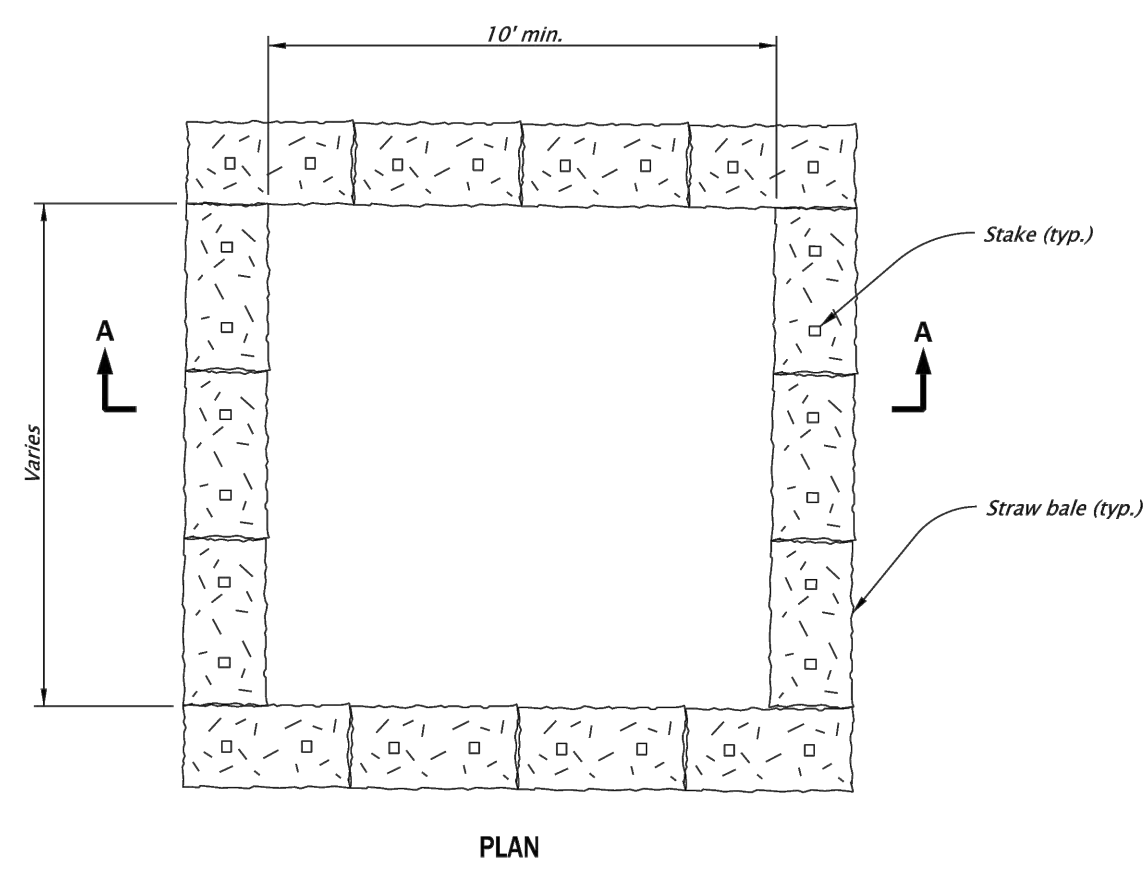
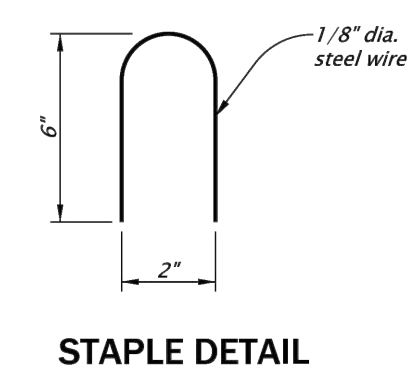
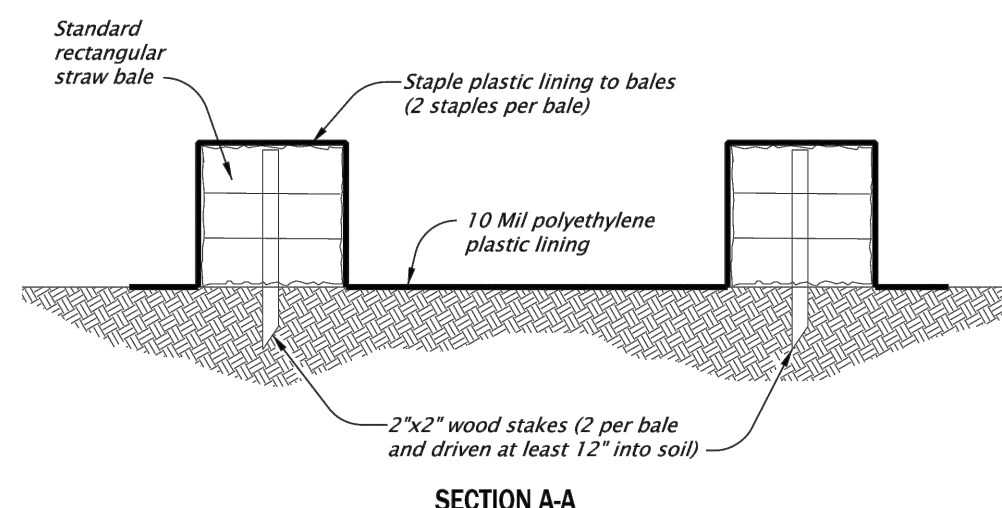
Erosion Control:

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.

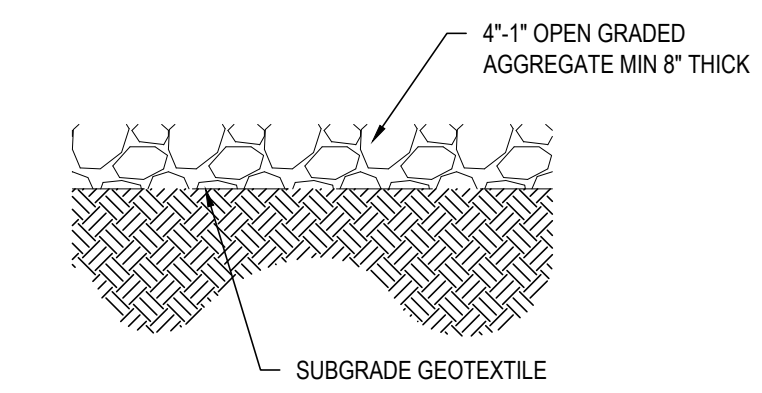
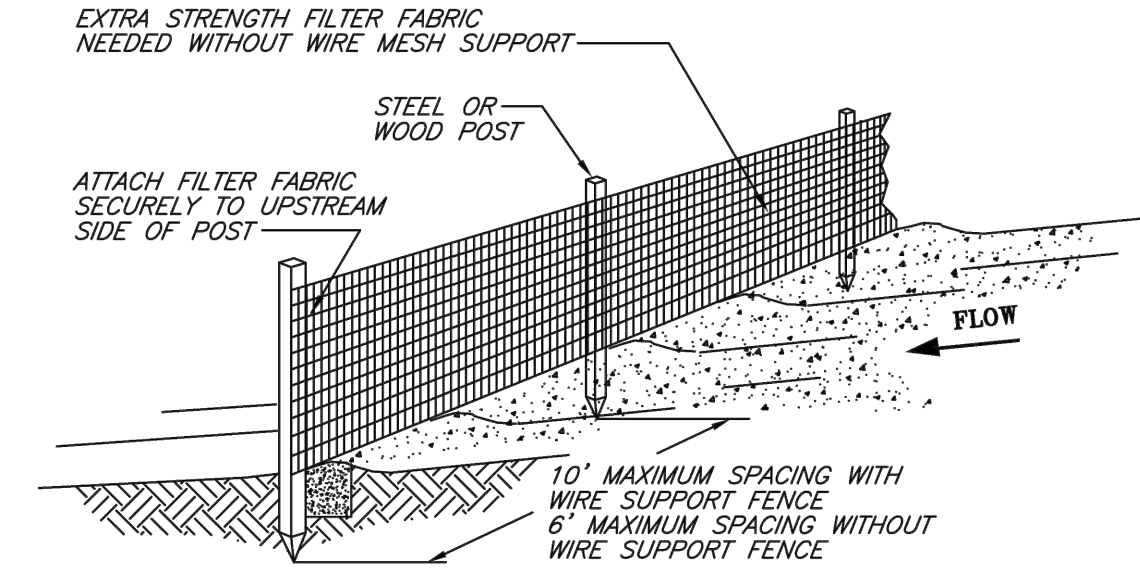




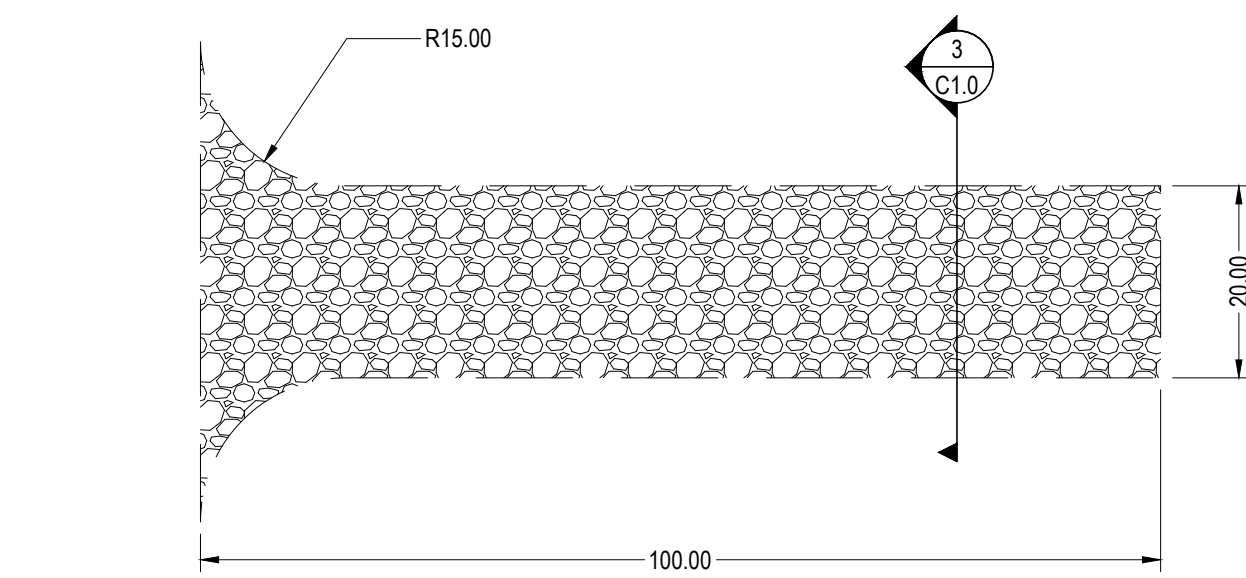




- NOTES:
1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
  2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY. 9" (225mm) MAXIMUM RECOMMENDED STORAGE HEIGHT.
  3. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
  4. FENCE TO REMAIN IN PLACE AND MAINTAINED BY CONTRACTOR UNTIL ALL DISTURBED SOILS HAVE BEEN STABILIZED.



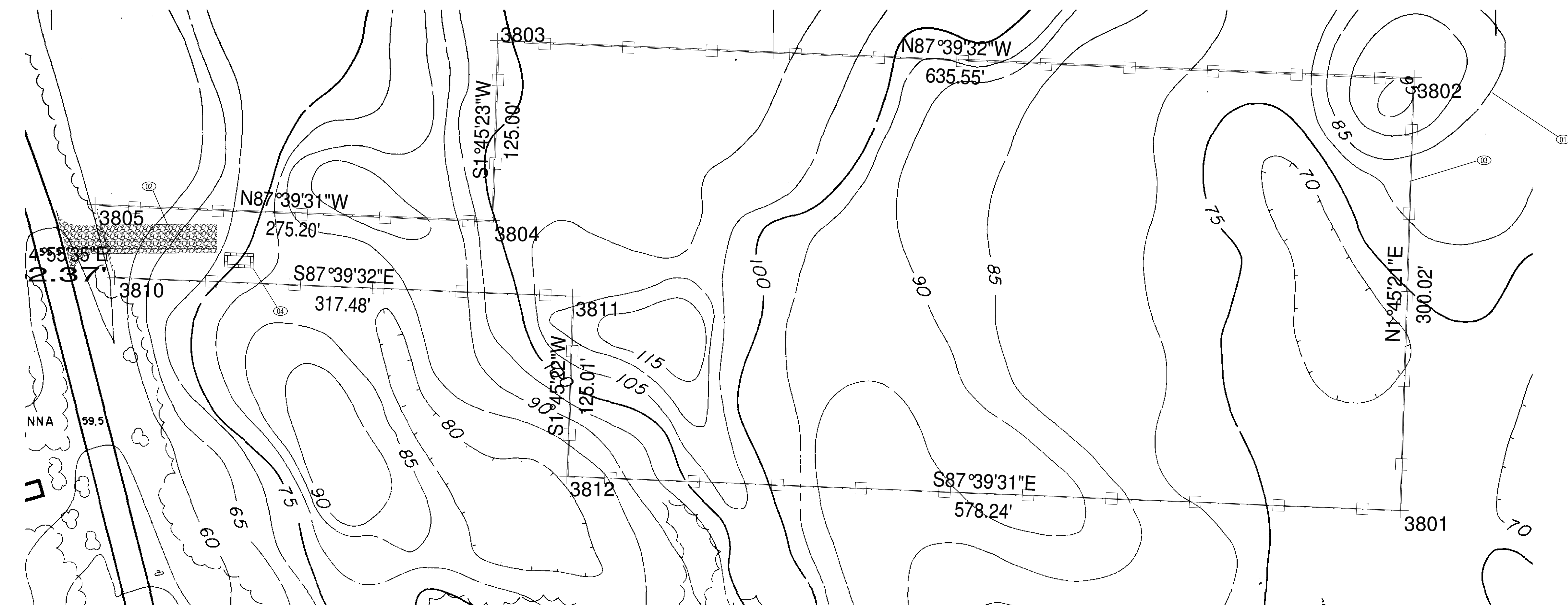
3 CONSTRUCTION ENTRANCE SECTION  
C1.0 NOT TO SCALE



2 CONSTRUCTION ENTRANCE DETAILS  
C1.0 NOT TO SCALE

5 CONCRETE WASHOUT DETAILS  
C1.0 NOT TO SCALE

4 SEDIMENT FENCE DETAILS  
C1.0 NOT TO SCALE



1 EXISTING CONDITIONS AND EROSION CONTROL PLAN  
C1.0 1"=40'

GENERAL NOTES THIS SHEET:

1. SEE C0.0 FOR GENERAL NOTES

KEYED NOTES THIS SHEET:

- 01 TOPOGRAPHIC MAPPING FROM CITY OF FLORENCE PUBLIC WORKS. PREPARED BY CHICKERING - GREEN EMPIRE 1974 NAD 27 - COORDINATES - NGVD 1929 ELEVATION DATUM
- 02 INSTALL CONSTRUCTION ENTRANCE SEE DETAIL 2/C2.0
- 03 INSTALL SEDIMENT FENCE AT EXTENT OF GRADING SEE DETAIL 4/C1.0
- 04 INSTALL CONCRETE WASHOUT SEE DETAIL 5/C1.0

**JOHNSON BRODERICK ENGINEERING**  
Civil and Structural Engineers  
325 W. 13th Ave  
Eugene, OR 97401-3402  
Tel: (541) 338-9488  
www.JBE.US.com

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Digitally Signed 21.10.01  
REGISTERED PROFESSIONAL ENGINEER  
74943PE  
Aaron Broderick  
OREGON  
MARCH 10, 2009  
AARON M. BRODERICK  
Expires: 2021.12.31

STONEFIELD INVESTMENTS  
MAP LOT 1812044403800  
FLORENCE, OR 97439

Mark	Description	Issued	By
	ISSUED FOR TENTATIVE REVIEW	2021.03.01	AMB

Date: 10/01/2021  
Project No: 21038.01  
Drawn By: BMD  
Checked By: AMB  
EX CONDITIONS, EC PLAN, DETAILS & SECTION  
Sheet title:

C1.0



GENERAL NOTES THIS SHEET:  
 1. SEE C0.0 FOR GENERAL NOTES

KEYED NOTES THIS SHEET:  
 01 NOT USED

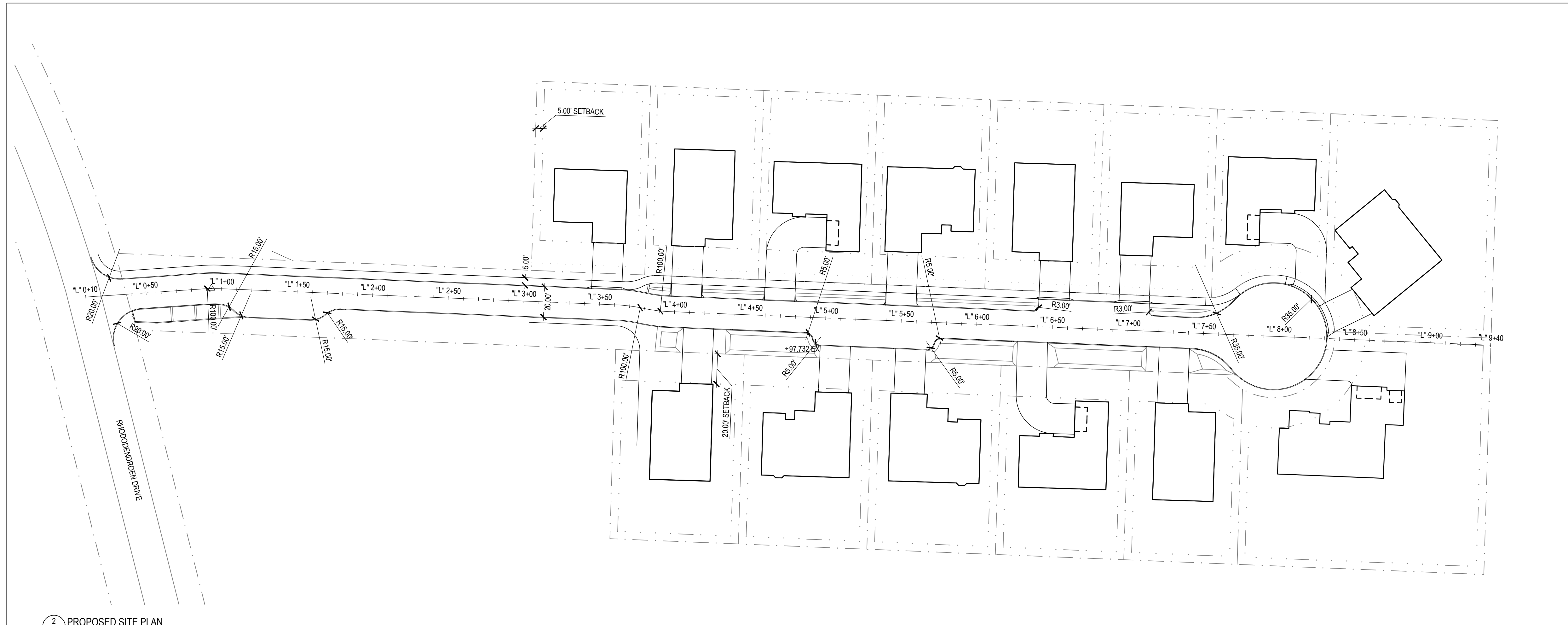
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Digitally Signed 21.10.01  
 REGISTERED PROFESSIONAL ENGINEER  
 74943PE  
 Aaron Broderick  
 OREGON  
 MARCH 10, 2009  
 AARON M. BRODERICK  
 Expires: 2021.12.31

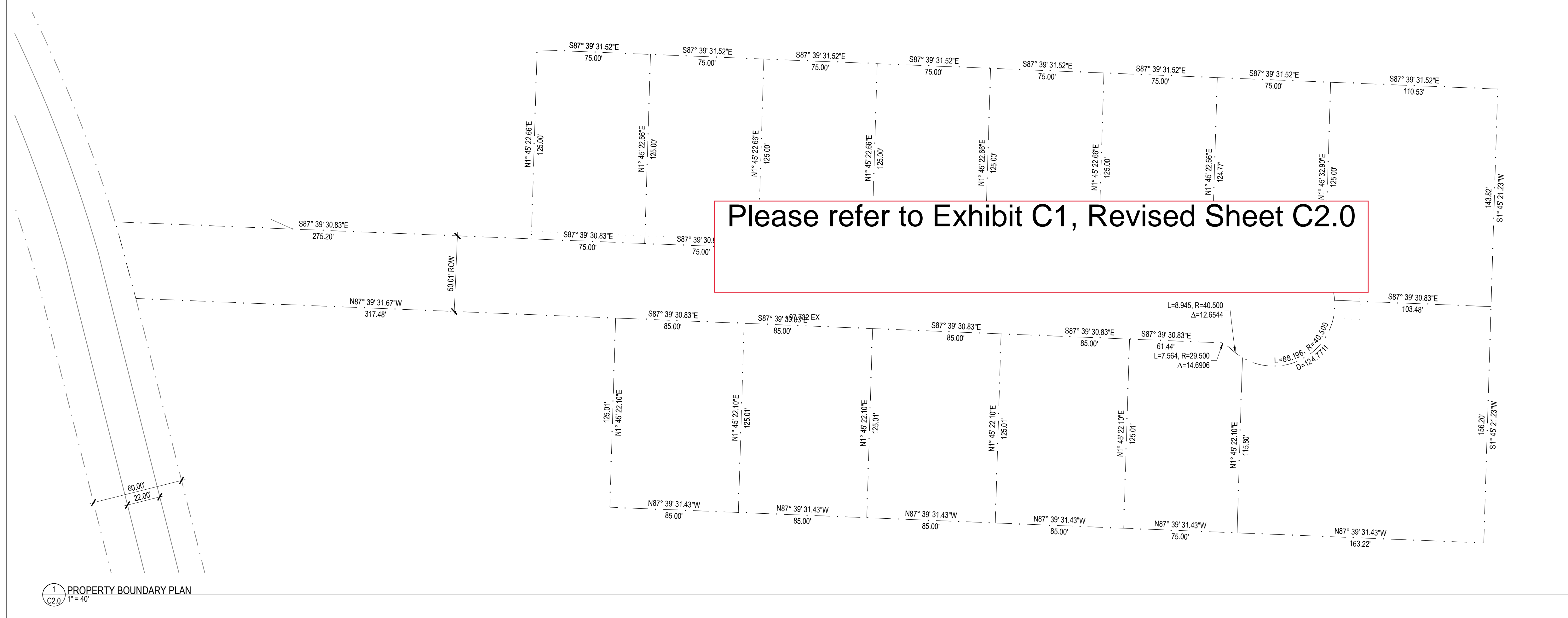
STONEFIELD INVESTMENTS  
 MAP LOT 1812044403800  
 FLORENCE, OR 97439

Mark	Description	Issued	By
	ISSUED FOR TENTATIVE REVIEW	2021.03.01	AMB

Date: 10/01/2021  
 Project No: 21038.01  
 Drawn By: BMD  
 Checked By: AMB  
 PROPERTY BOUNDARY AND PROPOSED SITE PLAN  
 Sheet title:  
**C2.0**



2 PROPOSED SITE PLAN  
 C2.0 1"=40'



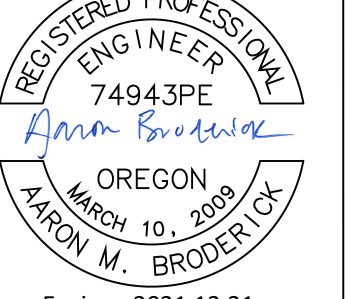
1 PROPERTY BOUNDARY PLAN  
 C2.0 1"=40'



GENERAL NOTES THIS SHEET:  
 1. SEE C0.0 FOR GENERAL NOTES

KEYED NOTES THIS SHEET:  
 (01) NOT USED

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Digitally Signed 21.10.01  
  
 Aaron Broderick  
 OREGON  
 MARCH 10, 2009  
 Aaron M. Broderick  
 Expires: 2021.12.31

STONEFIELD INVESTMENTS  
 MAP LOT 1812044403800  
 FLORENCE, OR 97439

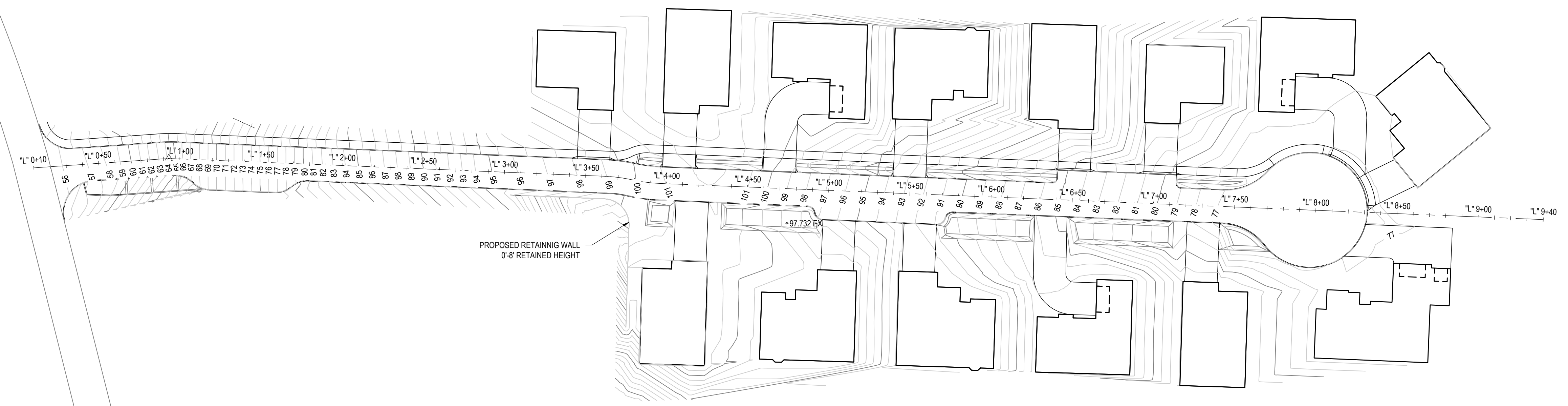
Mark	Description	Issued	By
	ISSUED FOR TENTATIVE REVIEW	2021.001	AMB

Date: 10/01/2021  
 Project No: 21038.01  
 Drawn By: BMD  
 Checked By: AMB

PROPOSED GRADING & CUT FILL PLANS  
 Sheet title:  
**C3.0**



2 PROPOSED CUT FILL ELEVATIONS  
 C3.0 1"=40'



1 PROPOSED GRADING SURFACE  
 C3.0 1"=40'



- GENERAL NOTES THIS SHEET:
- SEE C0.0 FOR GENERAL NOTES
  - SEE C2.0 FOR PLAN VIEW SHOWING ALIGNMENT
  - PLANTER CHECK DAMS NOT SOWH EXCEPT AS NOTED

KEYED NOTES THIS SHEET:  
 01 NOT USED

THE DOCUMENT AND THE DESIGNS INCORPORATED HEREIN ARE THE PROPERTY OF JOHNSON BRODERICK ENGINEERING, L.L.C. AND IS NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION FROM THE PRINCIPALS OF JOHNSON BRODERICK ENGINEERING.

Digitally Signed 21.10.01  
 REGISTERED PROFESSIONAL ENGINEER  
 74943PE  
*Arnon Broderick*  
 OREGON  
 MARCH 10, 2009  
 ARNON M. BRODERICK  
 Expires: 2021.12.31

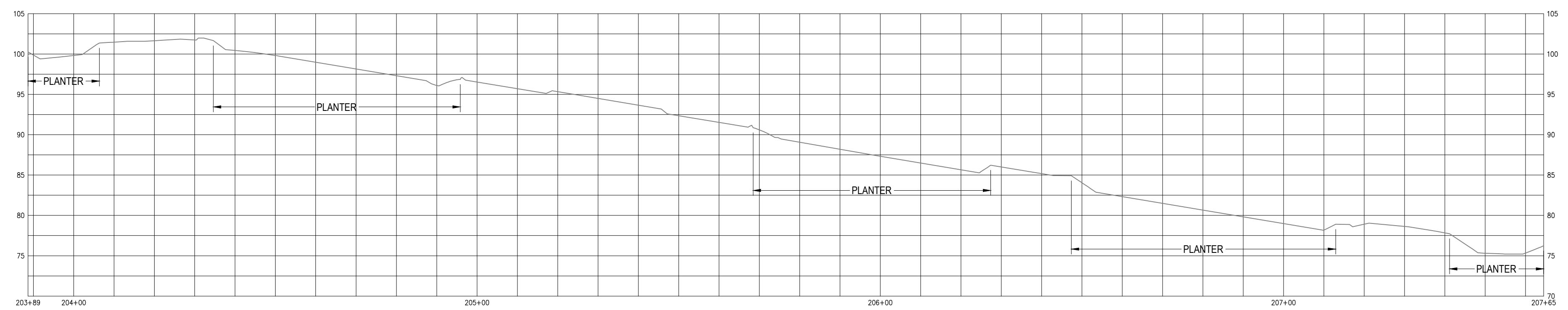
STONEFIELD INVESTMENTS  
 MAP LOT 1812044403800  
 FLORENCE, OR 97439

Project:

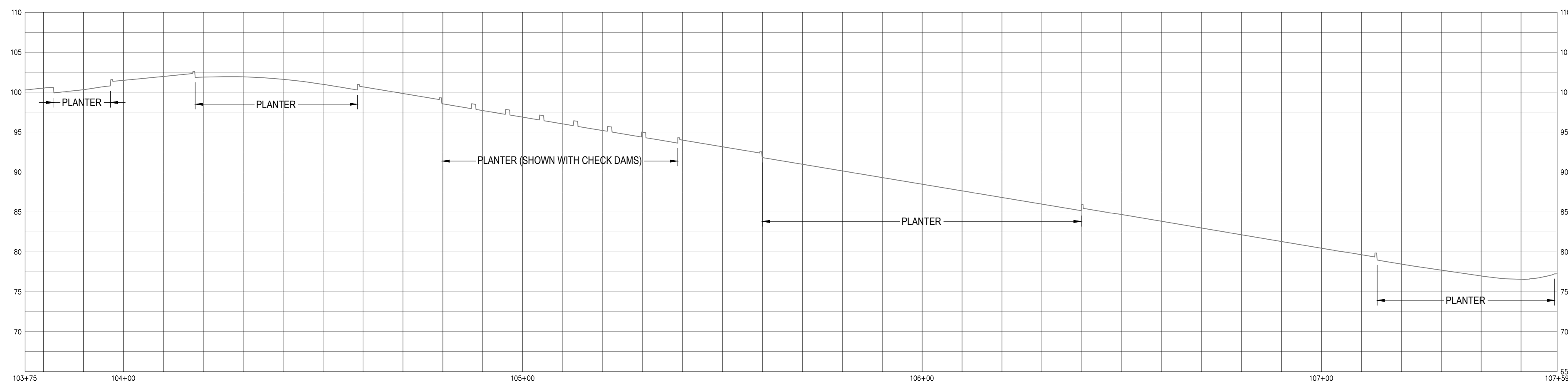
Mark	Description	Issued	By
	ISSUED FOR TENTATIVE REVIEW	2021.01.01	AMB

Date: 10/01/2021  
 Project No: 21038.01  
 Drawn By: BMD  
 Checked By: AMB

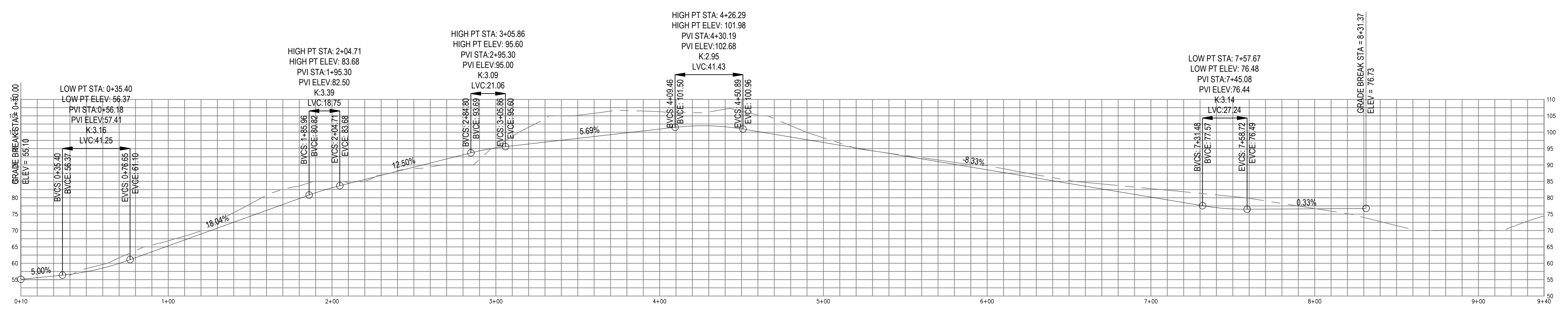
PROFILES  
 Sheet title:  
**C4.0**



3 SOUTH PLANTERS PROFILE  
 C4.0 1" = 20' (2:1 VERTICAL TO HORIZONTAL SCALE)

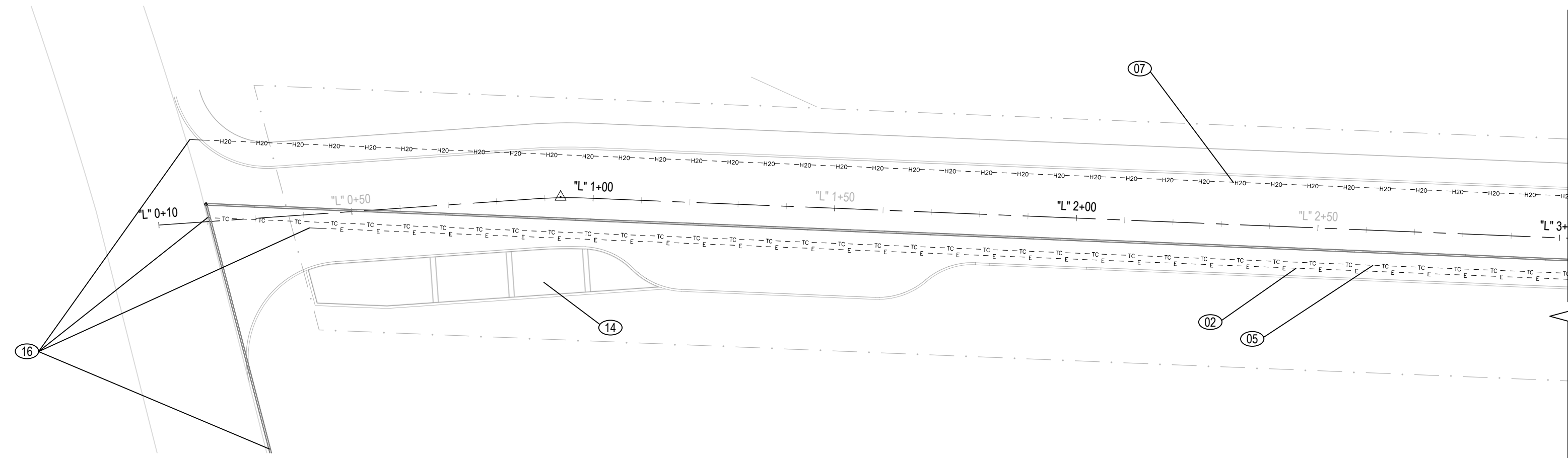


2 NORTH PLANTERS PROFILE  
 C4.0 1" = 20' (2:1 VERTICAL TO HORIZONTAL SCALE)



1 ROADWAY CENTERLINE PROFILE  
 C4.0 1" = 40' (2:1 VERTICAL TO HORIZONTAL SCALE)





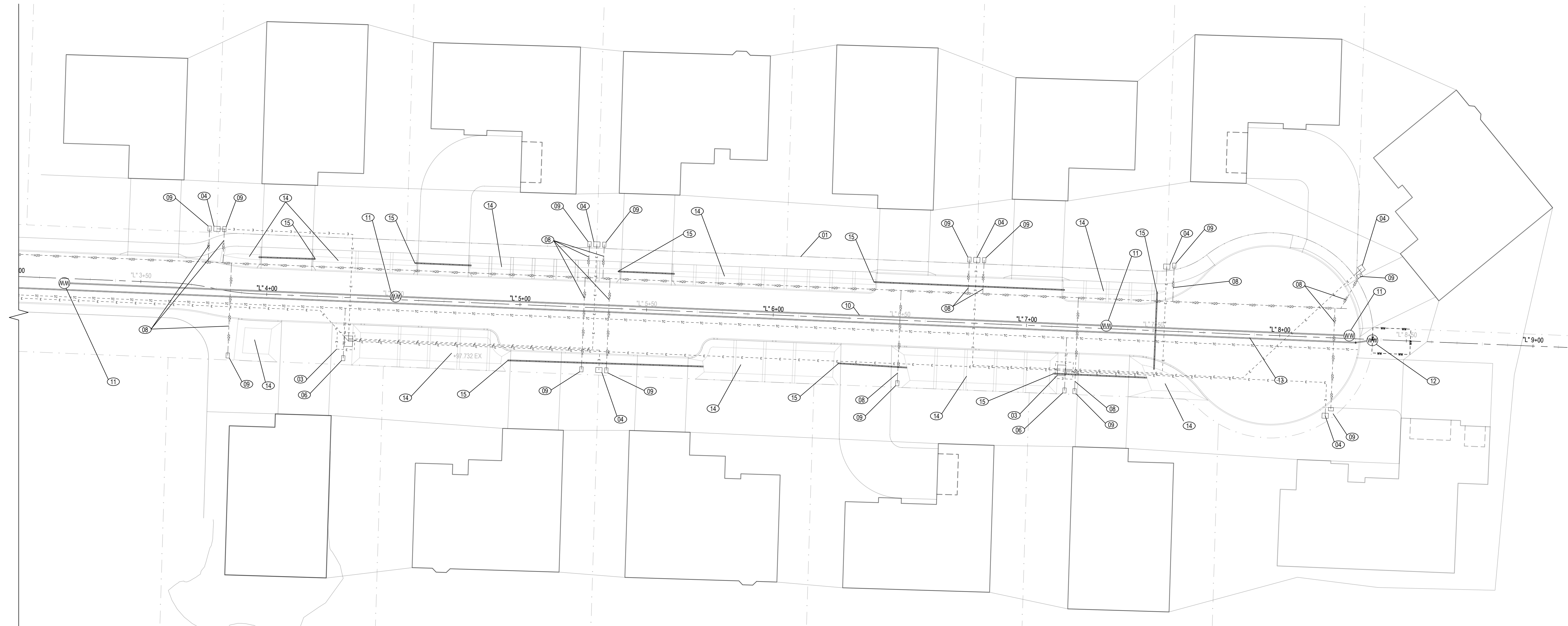
2 WEST UTILITY PLAN  
C5.0 1" = 20'



- GENERAL NOTES THIS SHEET:
- SEE S0.0 FOR GENERAL NOTES
  - SEE S4.0 FOR PROFILES

KEYED NOTES THIS SHEET:

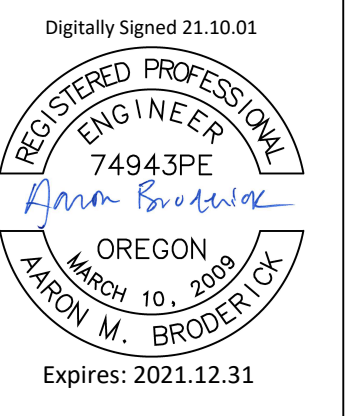
- 01 PUBLIC UTILITY EASMENT (PUE)
- 02 POWER PVC CONDUIT
- 03 POWER TRANSFORMER
- 04 POWER BOX
- 05 COMMUNICATIONS PVC CONDUIT
- 06 COMMUNICATION BOX
- 07 6" PVC WATER LINE
- 08 WATER LATERAL LINE
- 09 WATER METER BOX
- 10 8" PVC GRAVITY SEWER
- 11 48" DIAMETER CONCRETE MANHOLE
- 12 SEWER LIFT STATION
- 13 2" PVC SEWER FORCE MAIN
- 14 INFILTRATION PLANTER WITH CHECK DAMS (AS REQUIRED)
- 15 3" PLANTER OVERFLOW PIPE
- 16 CONNECT TO EXISTING UTILITY



1 EAST UTILITY PLAN  
C5.0 1" = 20'



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STONEFIELD INVESTMENTS  
MAP LOT 1812044403800  
FLORENCE, OR 97439

Mark	Description	Issued	By
	ISSUED FOR TENTATIVE REVIEW	2021.03.01	AMB

Date: 10/01/2021  
Project No: 21038.01  
Drawn By: BMD  
Checked By: AMB

UTILITY PLAN  
Sheet title:  
C5.0



# Exhibit C1

GENERAL NOTES THIS SHEET:

- SEE C0.0 FOR GENERAL NOTES
- ALL DIMENSIONS AND PROPOSED NAMES SHOWN ARE PRELIMINARY AND ARE SUBJECT TO CHANGE ON FINAL PLAN

KEYED NOTES THIS SHEET:

- 01 NOT USED

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Digitally Signed 21.11.19  
REGISTERED PROFESSIONAL ENGINEER  
74943PE  
*Ann Broderick*  
OREGON  
MARCH 10, 2006  
ARON M. BRODERICK  
Expires: 2021.12.31

STONEFIELD INVESTMENTS  
MAP LOT 1812044403800  
FLORENCE, OR 97439

Mark	Description	Issued	By
▲	ISSUED FOR TENTATIVE REVIEW	2021.01.01	AMB
▲	PLAN REVIEW RESPONSE	2021.11.18	AMB

Date: 10/01/2021  
Project No: 21038.01  
Drawn By: BMD  
Checked By: AMB

TENTATIVE PLAN

Sheet title:  
**C2.0**

2 PROPOSED SITE PLAN  
C2.0 1"=40'



1 TENTATIVE PLAN  
C2.0 1"=40'



# Exhibit D

**From:** [Tony Miller](#)  
**To:** [Roxanne Johnston](#)  
**Cc:** [planningdepartment](#)  
**Subject:** RE: Stonefield Investments, LLC Tentative Plan  
**Date:** Thursday, October 21, 2021 3:30:51 PM  
**Attachments:** [image001.png](#)

---

Roxanne,

Siuslaw Valley Fire & Rescue is requesting more detail (no fire hydrants noted in utility plans) on the number of fire hydrants and locations of fire hydrants within the subdivision.

Is this a county maintained road or private drive? Looking for clarification on road widths & cul-de-sac requirements.

Thanks

Tony Miller  
Fire Marshal  
Western Lane Fire and EMS Authority  
2625 Hwy 101 Florence, OR 97439  
Office: 541-997-3212  
Cell: 541-999-0286  
[tony@wlfea.org](mailto:tony@wlfea.org)



---

**From:** Roxanne Johnston <[Roxanne.Johnston@ci.florence.or.us](mailto:Roxanne.Johnston@ci.florence.or.us)>  
**Sent:** Monday, October 18, 2021 11:24 AM  
**Cc:** [planningdepartment](#) <[planningdepartment@ci.florence.or.us](mailto:planningdepartment@ci.florence.or.us)>  
**Subject:** Stonefield Investments, LLC Tentative Plan

Good morning,

Your agency has been selected to review the attached tentative subdivision plan containing 14 lots and connecting street within a Medium Density Residential zoning district. The subject property

contains approx.. 4.6 acres, Appraiser's Map 18-12-04-44, Tax Lot 03800, located approx. 410 ft NE of the intersection of Rhododendron Dr. and Sebastian St. and was recently annexed into the city.

The purpose of this notice is to acquaint you with the proposal, to gather information you may have on the project, and provide you with an opportunity to comment and express concerns prior to the City's decision to approve or deny the proposal. This application will be discussed at a public hearing which has not yet been scheduled. We will soon be adding more info to our site <https://www.ci.florence.or.us/planning/land-use-decision-pending>

Thank you,

R

**Roxanne M. Johnston, CFM**

Senior Planner | City of Florence

O: 541.997.8237

[Roxanne.Johnston@ci.florence.or.us](mailto:Roxanne.Johnston@ci.florence.or.us)

250 Highway 101, Florence, OR 97439

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**South Coast Office**  
486 E Street  
Coos Bay, OR 97420

**Willamette Valley Office**  
200 Ferry Street SW  
Albany, OR 97321

**Rogue Valley Office**  
830 O'Hare Parkway, Suite 102  
Medford, OR 97504

**North Coast Office**  
609 SW Hurbert Street  
Newport, OR 97365

T e l ( 5 4 1 ) 2 6 6 - 8 6 0 1 • F a x ( 5 4 1 ) 2 6 6 - 8 6 8 1

• MEMORANDUM •

<b>TO</b> City of Florence Public Works	<b>DATE</b> 12/27/2021	<b>JOB NO</b> 1503-001
	<b>ATTN</b> Mike Miller	
	<b>RE</b> Stonefield Court Development Review	

Mike Miller,

Civil West Engineering has performed a preliminary review of the proposed Stonefield Court Development, using the materials provided by the City of Florence.

Information provided at this stage is fairly preliminary, but the following are the items that we felt were noteworthy:

- The sheet C2.0 labels their proposed R-O-W as 50.01' rather than 50.00'. This is likely inconsequential but warrants further checks on dimensioning as they're probably being automated by CAD.
- Related to the above comment, I was under the impression that the City's minimum R-O-W width is 60'. I'm unsure whether the development is proposed as entirely private, or if the R-O-W will be the City's.
- Otherwise, the street and lot layout appears to meet setback and fire access requirements.
- Sheet C3 displays cuts and fills along with proposed grading structures. They show a proposed 0-8' retaining wall on the southwest side of the development where cuts and fills appear to vary greatly. This is fine, provided more information is provided; however, there appear to be large cuts along eastern edge, and we'll need more information on how these are going to be managed/contained, especially with the behavior of the sandy soils in the area.
- The provided contours on Sheet C3 indicate that drainage will flow from the peak contour of 101' back onto City Streets. The applicant will need to show how all stormwater will be treated and managed on-site.
- The vertical curves displayed have very low K values, indicating a large difference in slopes with a short curve length. These crest curves would usually indicate a speed limit around 15 mph due to sight distance constraints.
- It's difficult to get a whole lot out of the utility plan without more information, but it looks like everything should work properly. The wastewater appears to consist of a gravity system that will then connect to a private pump station that conveys out to the City's low pressure force main. It appears that there is adequate clearance between utilities. The planters and corresponding overflow pipes will need to be constructed per City of Florence Stormwater Standards. A blowoff may be required for the significant high point that will occur in both the water main and the sewer force main.

Thank you,

Sean Lloyd, PE

Copy To: File

**From:** [Mike Miller](#)  
**To:** [Roxanne Johnston](#); [HEARLEY Henry O](#)  
**Cc:** [Marlin Gochmour](#)  
**Subject:** RE: Robbie Wright Tentative Plan  
**Date:** Friday, January 7, 2022 11:14:52 AM

---

Good morning,

Yes, the TSP calls for a separated multi-use path along Rhododendron Drive. Since the frontage is so small, I would suggest that at a minimum that the multi-use path be shown on the plan as a future improvement. They would need to agree and sign a non-remonstrance agreement or pay in-lieu of making the improvements. We need to make sure that the multi-use path does not conflict with any proposed stormwater facilities that the development is proposing.

Thank you,

Mike

---

**From:** Roxanne Johnston <[Roxanne.Johnston@ci.florence.or.us](mailto:Roxanne.Johnston@ci.florence.or.us)>  
**Sent:** Thursday, January 6, 2022 11:03 AM  
**To:** HEARLEY Henry O <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>; Mike Miller <[mike.miller@ci.florence.or.us](mailto:mike.miller@ci.florence.or.us)>  
**Subject:** Robbie Wright Tentative Plan

Good morning,

My apologies for not sending Mike this question straight way. We didn't speak yesterday after all. But yes, we would require 10-36-2-2 if Robbie is supposed to contribute improvements. I can dig up condition language for that as this would be required, I'm reasonably sure, for the final plat part, most likely before installing the infrastructure and recording the final plat.

Thanks,  
R

---

**From:** HEARLEY Henry O <[HHEARLEY@Lcog.org](mailto:HHEARLEY@Lcog.org)>  
**Sent:** Thursday, January 6, 2022 10:46 AM  
**To:** Roxanne Johnston <[Roxanne.Johnston@ci.florence.or.us](mailto:Roxanne.Johnston@ci.florence.or.us)>  
**Subject:** RE: Misc.

Thank you, Roxanne. I really appreciate all your help

You had said you'd get back to me about:

**10-36-2: STREET STANDARDS:**

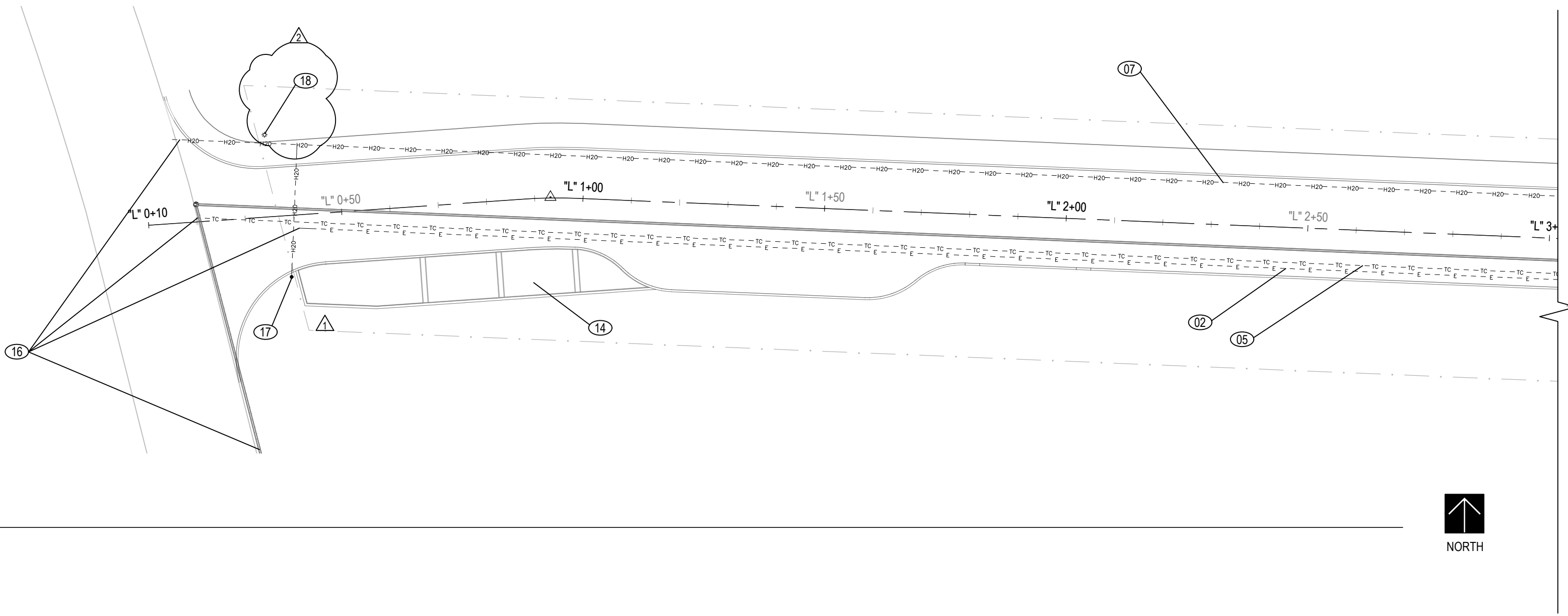
**10-36-2-1: Development Standards: The following standards shall be met for all new uses and developments:**



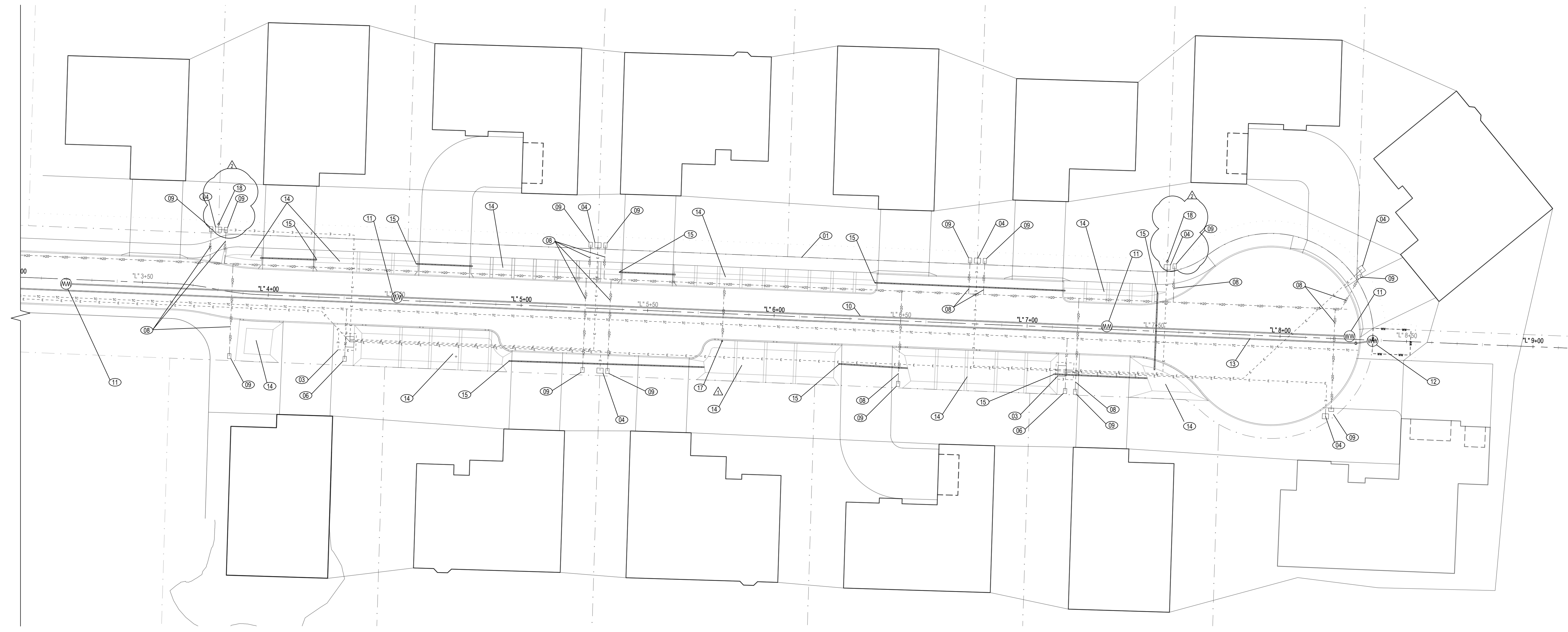
# Exhibit C2

- GENERAL NOTES THIS SHEET:**
1. SEE S0.0 FOR GENERAL NOTES
  2. SEE S4.0 FOR PROFILES

- KEYED NOTES THIS SHEET:**
- 01 PUBLIC UTILITY EASMENT (PUE)
  - 02 POWER PVC CONDUIT
  - 03 POWER TRANSFORMER
  - 04 POWER BOX
  - 05 COMMUNICATIONS PVC CONDUIT
  - 06 COMMUNICATION BOX
  - 07 6" PVC WATER LINE
  - 08 WATER LATERAL LINE
  - 09 WATER METER BOX
  - 10 8" PVC GRAVITY SEWER
  - 11 48" DIAMETER CONCRETE MANHOLE
  - 12 SEWER LIFT STATION
  - 13 2" PVC SEWER FORCE MAIN
  - 14 INFILTRATION PLANTER WITH CHECK DAMS (AS REQUIRED)
  - 15 3" PLANTER OVERFLOW PIPE
  - 16 CONNECT TO EXITING UTILITY
  - 17 INSTALL FIRE HYDRANT
  - 18 INSTALL STANDARD STREET LIGHT AND POLE



2 WEST UTILITY PLAN  
C5.0 1" = 20'



1 EAST UTILITY PLAN  
C5.0 1" = 20'

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Digitally Signed 21.12.16  
REGISTERED PROFESSIONAL ENGINEER  
74943PE  
Ann Broderick  
OREGON  
MARCH 10, 2009  
AXTON M. BRODERICK  
Expires: 2021.12.31

STONEFIELD INVESTMENTS  
MAP LOT 181204403800  
FLORENCE, OR 97439

Mark	Description	Issued	By
▲	ISSUED FOR TENTATIVE REVIEW	2021.01.01	AMB
▲	PLANT REVIEW RESPONSE	2021.01.01	AMB
▲	STREET LIGHT ADDITION	2021.12.16	AMB

Date: 10/01/2021  
Project No: 21038.01  
Drawn By: BMD  
Checked By: AMB

UTILITY PLAN  
Sheet title:  
C5.0



October 27, 2021

**CITY FILE:** PC 21 03 ANN & PC 21 04 ZC 01  
**AGENT/OWNER:** Stonefield Investments, LLC  
**MAP & TAX LOTS:** 18-12-04-44-03800  
**PROPOSAL:** TENTATIVE SUBDIVISION PLAN

---

Roxanne,

Thank you for the opportunity to review and comment on this proposal. Please accept the following comments from Lane County Transportation Planning:

**COMMENTS FROM LANE COUNTY TRANSPORTATION PLANNING**

The subject property (“property”) is located within the city limits of the City of Florence. The property abuts and takes access of Rhododendron Dr, a Lane county road functionally classified as an Urban Major Collector. Rhododendron Dr is annexed into the city limits but it has not been surrendered to the City. Lane County strongly encourages the City of Florence request a surrender for this portion of roadway for a jurisdictional transfer for orderly development of the area.

Until the jurisdictional transfer of Rhododendron Dr occurs, its status as an Urban Major Collector requires that any new development or redevelopment taking access of the roadway must demonstrate compliance with Lane County Chapter 15 Roads requirements as applicable. Applicable LC Chapter 15 requirements include: **LC 15.070:** Building Setback Requirements for Local Access Roads, Public Roads, County Roads, and State Roads or Highways; **LC 15.105:** Dedication and Improvement Requirements **LC 15.135:** General Access Requirements; **LC 15.137:** Access Management Requirements; **LC 15.139:** Standards for Culverts and Private Approaches on County Road; **LC 15.205:** Facility Permits; **LC 15.697:** Traffic Impact Analysis Requirement and **Lane Manual 15.515:** Drainage.

**LANE CODE 15.070: BUILDING SETBACK REQUIREMENTS FOR LOCAL ACCESS ROADS, PUBLIC ROADS, COUNTY ROADS, AND STATE ROADS OR HIGHWAYS.**

- (1) A lot or parcel of land adjoining a road designated as a Local Access Road, Public Road, County Road or State Road or Highway shall have a building setback line which conforms to the following minimum requirements:
  - (c) Setbacks shall be measured at right angles to the centerline of a straight road or as radials on a curved road to the nearest point of the front wall of the building. Setbacks shall be taken from the minimum right-of-way width specified as follows:
    - (i) For County Roads as defined in LC 15.010(35), the minimum right-of-way width for development setback purposes shall be based upon the functional class of the road as follows:
      - (cc) Urban Major Collector – 70 feet

The subject property (“property”) fronts Rhododendron Dr which is under the jurisdiction of Lane County and is functionally classified as an Urban Major Collector. For the purpose of establishing



development setbacks, Urban Major Collectors have a minimum right-of-way width of 70 feet, (LC 15.070(1)(c)(i)(cc)).

**LANE CODE 15.105: DEDICATION AND IMPROVEMENT REQUIREMENTS.**

- (1) When a land division or other development is proposed, the County may require dedications of right-of-way or easements and improvements necessary to meet the applicable road design standards of LC 15.700 through LC 15.708 and other requirements of this chapter. Road dedication or improvements shall be adequate to serve traffic generated by the new development.
- (2) When a traffic impact analysis is required pursuant to LC 15.697, the County may require Public Road or County Road dedications and improvements consistent with the County-approved traffic impact analysis.
- (3) If required by the County-approved traffic impact analysis pursuant to LC 15.697, changes or additions to County Road functional classifications shall be made pursuant to the procedures specified in LC 15.035 through LC 15.040.
- (4) If dedications or improvements are required, the Director may determine that it is in the best interests of Lane County and in the furtherance of the public convenience and welfare that construction of the required improvements be deferred, and may accept in lieu of the required completion of improvements a performance improvement agreement pursuant to LM 15.850 through 15.865.

Lane County does not have any planned projects on Rhododendron Dr in the Lane County Transportation System Plan. Based on the *Institute of Traffic Engineer's Trip Generation Manual (8<sup>th</sup> edition)*, a 14-lot single family residential development is not expected to generate 25 or more trips in any peak hour; a Traffic Impact Analysis is not required per LC 15.697. However, Lane County defers to the City of Florence for any improvement requirements on Rhododendron Dr as per its TSP plan.

**LANE CODE 15.137: ACCESS MANAGEMENT REQUIREMENTS**

- (8) Road approach spacing on County Roads must comply with the spacing standards in LC 15.138, subject to the following:
  - (a) Within urban growth boundaries, block length and connectivity policies and standards specified in city transportation system plans and city development codes will apply;
- (9) Decisions regarding placement, location, relocation, and spacing of traffic control devices, including but not limited to traffic signals, turn lanes, and medians, will be based upon accepted engineering practices as provided for in the Federal Highway Administration (FHWA) *Manual On Uniform Traffic Control Devices (MUTCD)*, the *Oregon Standard Drawings* published by ODOT and the American Public Works Association (APWA), and *A Policy on Geometric Design of Highways and Streets* published by the American Association of State Highway and Transportation Officials (AASHTO). The versions of these publications cited in LM 15.450 must be used.
- (10) New development must accommodate on-site traffic circulation needs on the site. "Backing out" maneuvers are prohibited on all arterials and collectors.

The City of Florence's street connectivity policies applies to the proposal including driveway spacing standards for the development along the County road. The access road will be a city street constructed as per the City's Street standards.





Backing out on the County Road is prohibited. The applicant should demonstrate adequacy of onsite circulation by providing adequate cul-de-sac within the development.

While the County supports sidewalks within the development, they should not be continued to Rhododendron Dr at this time for the lack of pedestrian facilities on the roadway. The County requests termination of the sidewalk before the right of way and installation of appropriate signage.

**LANE CODE 15.138: ROAD AND DRIVEWAY APPROACH SPACING STANDARDS**

- (2) Within urban growth boundaries, the spacing standard for County Roads will be pursuant to the applicable city standards.**

Lane County Transportation Planning defers driveway approach spacing to the City of Florence's standards.

**LANE CODE 15.139: STANDARDS FOR CULVERTS AND PRIVATE APPROACHES ON COUNTY ROADS**

- (1) The minimum and maximum approach and culvert sizing requirements are as follows:**
- (a) The minimum approach width at the intersection of the approach with the County Road Right-of-Way as defined in LC 15.010 is 16 feet for Rural Arterials and Collectors; and**
  - (c) 20 feet minimum for access to two or more properties or whenever ingress and egress is intended for multiple users. A guest house does not qualify as shared access.**
  - (d) The maximum approach width is 30 feet for residential use and 35 feet for other uses.**
  - (e) The minimum radius is 10 feet.**
  - (f) Minimum Side-slopes must be no steeper than 3H:1V for Local Roads and no steeper than 4H:1V for any new construction or reconstruction requiring a new culvert on Arterials and Collectors. Sloped end culverts are required on aprons with 4H:1V slopes.**
  - (g) Approaches must be constructed with either asphalt concrete or Portland cement concrete unless connecting to a gravel public road. Construction of a concrete approach will require that the County conduct an inspection of the concrete forms prior to placement of the concrete approach.**
  - (h) Culverts must be a minimum of 12 inches inside diameter and:
    - (i) a minimum of 32 feet in length for Arterials and Collectors;**
    - (iii) A larger pipe diameter size is required when necessary to provide adequate conveyance capacity for a 10-year design storm event. A longer pipe length will be required if a wider driveway apron is approved or terrain or ditch depth dictates.****
- (2) Sloped end culverts are required if the road facility in the area has been upgraded to include sloped end culverts and as required in 15.139(1)(f). Side slopes must match side slopes of the road.**
- (3) The County may specify additional requirements for the purpose of enhancing safety, traffic flow, road maintenance, and to minimize surface flow of water and debris onto the Public Roadway, such as in the case of uphill approaches.**
- (4) Approaches must be designed and constructed to place the approach, including radius, entirely within the frontage of the private property boundary unless it is necessary for safe ingress and egress. (Revised by Ordinance 10-04, Effective 6.4.04; 20-09, 12.10.20)**



Please demonstrate compliance with the above standards for street intersection with Lane County's right-of-way. Lane County may require stormwater design and calculations that demonstrate stormwater release onto right of way do not exceed pre-development flow and complies with the Oregon Drainage Law at the time of a facility permit request. Privately installed stormwater facilities within the County Right of Way are not permitted.

#### **LANE CODE 15.205: FACILITY PERMITS**

Lane County's approval of a Facility Permit is required for the placement of facilities and development within Lane County right-of-way. Facilities and development include, but are not limited to: road improvements; sidewalks; new or reconstructed driveway or road approach intersections; utility placements; excavation; clearing; grading; culvert placement or replacement; stormwater facilities; or any other facility, thing, or appurtenance (LC 15.205[1]).

For more information about Facility Permits, please contact Lane County Right-of-Way Services at 541.682.6902 or visit: [https://lanecounty.org/government/county\\_departments/public\\_works/right-of-way\\_permits/facility\\_permits/](https://lanecounty.org/government/county_departments/public_works/right-of-way_permits/facility_permits/)

#### **LANE MANUAL 15.515: DRAINAGE**

In accordance with Lane Manual 15.515, stormwater runoff from private property must not be directed to the Lane County road right-of-way or into any Lane County drainage facility, including roadside ditches. Ditches adjacent to County roads are designed solely to accommodate stormwater runoff from roadways themselves.

At time of facility permit, the applicant will be requested to provide a stormwater design showing how the developer plans to intercept, detain and control impervious runoff. Stormwater facilities serving the project shall not be located within the planned right-of-way.