

**CITY OF FLORENCE  
PLANNING COMMISSION**

**(Proposed) RESOLUTION PC 22 11 COU 01**

AN APPLICATION FOR A CHANGE OF USE FROM A PRINT SHOP TO A DELICATESSAN AT 1856 37<sup>TH</sup> STREET REQUIRING MORE THAN FIVE (5) ADDITIONAL PARKING SPACES IN ACCORDANCE WITH FLORENCE CITY CODE FCC 10-1-1-6-3 A. 2 IN THE HIGHWAY DISTRICT.

**WHEREAS**, application was made by Dan Lofy, of Lofy Construction, on behalf of property owner Linda Wilcox located at property shown on Assessor's Map #18-12-23-22, Tax Lot 01800, for a Change of Use Permit as required by FCC 10-1-1-4, 10-1-1-6-3 and 10-6.; and

**WHEREAS**, the Planning Commission/Design Review Board met in a duly-advertised public hearing on July 12, 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/Design Review Board of the City of Florence, per FCC 10-1-1-4, 10-1-1-6-3 and FCC 10-6, 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/Design Review Board of the City of Florence finds, based on the Findings of Fact and the evidence in record that:

The request for a Change of Use from a former print shop to a delicatessen in the Highway District 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.

**1. Approval for shall be shown on:**

- "A" Findings of Fact
- "B" Parking and Site Plan
- "C" Floor Plan
- "D" Building Elevations
- "E" Land Use Application
- "F" RLID Building Use Appraiser Plans

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

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

3. 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.

#### **4. Parking Requirements**

4.1 To meet the intent of FCC 10-3, prior to final inspection, the applicant shall supply an updated parking plan indicating one of the following: 24 parking spaces provided; or provide a thrift store floor plan illustrating half the floor area is bulk retail sales and an updated parking plan indicating 23 parking spaces. The approved plan shall be implemented prior to issuance of final inspection.

4.2 Required parking spaces shall be maintained and shall not be eliminated, used for the storage of materials of any type, or used for loading or unloading operations during business hours in accordance with FCC 10-3-2 A through F.

4.3 The parking lots shall be striped to meet the standards in 10-3-9 (4" wide striping for parking spaces double-line striped, two feet on center) prior to issuance of the final building inspection.

4.4 Two bicycle spaces shall be required to meet the bicycle to vehicular parking ratio. The spaces shall meet the minimum size, location, design, security, and other requirements listed in FCC 10-3-10.

#### **5. Design Review Requirements**

5.1 Unless otherwise specified, Conditions of Approval shall be completed prior to six months from the issuance of the Final Building inspection.

5.2 The approval for Design Review of the proposed delicatessen shall expire on July 12, 2023.

#### **6. District Standards**

6.1 In order to further ensure public health and safety, all trash receptacles shall be located inside the deli or in a trash enclosure that is fully screened by a solid fence or wall not less than 5' in height. Trash receptacle areas shall be kept clean. Trash shall not be allowed to blow about the site nor onto neighboring sites, nor shall any trash be stored in a manner to attract rodents.

**6.2** The applicant shall provide appropriate vision clearance at both driveway entrances in accordance with FCC 10-35-2-14.

**7. Lighting**

**7.1** Any lighting installed on the exterior of the subject building shall be evaluated by the Planning Department prior to installation and prior to issuance of Certificate of Occupancy or final building permit.

**7.2** Within one year of approval July 12, 2023 all lighting on and serving the laundromat building shall come into compliance with 10-37. Existing non-compliant light fixtures shall be replaced or converted to be full-cut off whereby the bulb is shielded and no light is projected at or above the horizontal plane. The applicant shall ensure that lighting fixtures do not project light skyward or onto adjacent or nearby property.

**7.3** Main lights shall be extinguished at the end of work hours. A minimum amount of lighting may remain on if needed due to security concerns.

**ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD** the 12<sup>th</sup> day of July, 2022.

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

\_\_\_\_\_  
Date