

# Exhibit K

02/27/2024

Florence Planning Commission

RE: estuary trail

1)In case of zoning requests it shall be shown that a public need exists, and that need will be served by the action. How?

2)in your resolution you state Redwood Street is not the vehicular access point. Your response to Siuslaw Valley Fire and Rescue that their unload point is on Redwood Street. I would assume that would be the same point for any rescue operation.

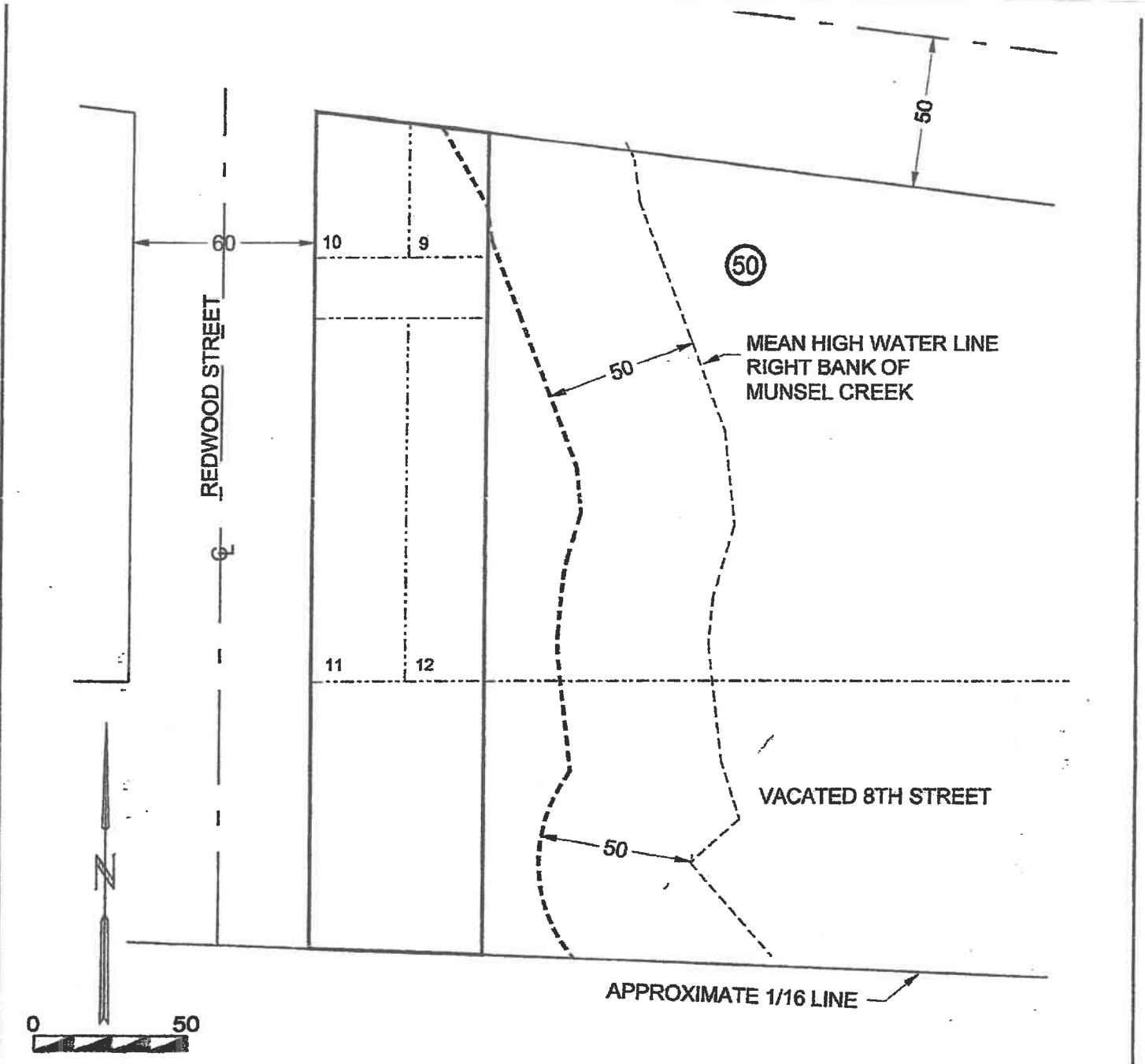
3)Parking spaces located or screened so they do not shine onto adjacent residential uses. This plan does not recognize my adjacent residential use to the west. It addresses only to the north.

4)There is a wetlands riparian area of 50' to each side of the Mean High Water Mark (MHM) of Munsel creek which is by definition a fish bearing stream. This would overlay your parking lot as exhibited. As well as hamper any further bridge construction. I have submitted your response to my property as evidence.

5)Will the city be willing to accept liability of gravel trail knowing that diminished recreation immunity is a threat? This issue has come before another entity concerning sidewalk in front of Mo's restaurant. A trip hazard occurred, and an injury occurred. The city has diverted the claim to adjoining property owner. Will this be the case here?

6)You are proposing a trailhead in a dedicated street R.O.W. The public has the right to use that R.O.W. Now you are in effect giving it to F.U.R.A. which the public is excluded from. That existing R.O.W. should be vacated and dispersed of by offering one half of each vacated portion to the respective property owners. Ie:myself and F.U.R.A.

7)Your attempts to isolate my property with side walks will diminish the value and use of my property. Placement of waste station next to my property is just one example of how little you have considered your neighbor. My property will become a homeless encampment. Furthermore I am afraid that the half steps you are taking to improve will hamper the development of my property. In my conversation with Mike Miller he stated he could develop a side walk to use Redwood Street. I asked if that was the criteria for me to develop? His reply, No, you have to build a full half street.  
Is this fair I ask?



18-12-26-32, TL 7800

JOB F14-04

<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>Eugene M. Wobbe</i></p> <p>OREGON JULY 30, 1976 <b>EUGENE M. WOBBE</b> 1093</p> <p>P.L.S. EXPIRATION DATE: 6-30-2014 DC2014\1404 MHW 50</p>	<p><b>WOBBE &amp; ASSOCIATES, INC.</b> 510 KINGWOOD ST. / P.O. BOX 3093 FLORENCE, OR 97439</p>	
	<p>MAP OF MUNSEL CREEK MEAN HIGH WATER LINE</p>	
<p>TERRY DUMAN</p>		
<p>SW 1/4, SEC. 26, T18S, R12W, W.M. FLORENCE, LANE COUNTY, OREGON</p>		
<p>FEBRUARY 3, 2014</p>		<p>DRAWN: EMW</p>

The applicant started clearing the vacant lot south of Highway 126 and east of Redwood St. around January 13, 2014. A stop work order was issued and a certified letter mailed stating clearing along Highway 126 required a vegetation clearing permit. The applicant came into the office within a couple of days and discussed opportunities with staff for site development. After several months of the applicant working with a contractor on site design plans and receiving another violation letter for storing equipment on the site the applicant applied for a vegetation clearing permit to resolve the clearing violation. The applicant is applying for a vegetation clearing permit for work previously conducted.

Staff did analyze the applicability of the coastal wetlands & riparian areas criteria and comprehensive plan policies. The applicant's site is just outside the regulated areas. The north edge of Highway 126 is the point of measurement on the north and the mean high tide line is the point of reference and measurement on the south and east side. The 50' buffers consume the highway and eastern property but do not include the applicant's property. Therefore no policies from the comprehensive plan or city code related to wetlands, riparian corridors or estuaries apply to the site.

#### **IV. REVIEW OF APPLICABLE CRITERIA:**

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##### **TITLE 10, CHAPTER 1: ZONING REGULATIONS**

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**10-1-1-6-B. Administrative Decisions are based upon clear compliance with specific standards. Such decisions include, but are not limited to the following:**

**1. Vegetation clearing permits.**

Title 4 also states that the vegetation clearing permits shall go before the Design Review Board for decision. Title 10, Chapter 1 was amended in 2008 and Title 4, Chapter 6 was amended in 1994; therefore, Title 10, Chapter 1 is the current process for Vegetation Clearing Permits. Notice of this application was given to the Planning Commission. The Planning Commission Chairperson did not request the Vegetation Clearing Permit go before the Commission.

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##### **TITLE 4, CHAPTER 6: VEGETATION PRESERVATION**

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**4-6-3: VEGETATION CLEARING PERMIT REQUIRED:**

**A. A vegetation clearing permit shall be required in any of the following circumstances:**