

## NOVEMBER 2011 PLANNING REPORT

### 1 - General Comments

#### County Co-Adoption

The Board of County Commissioners held a public hearing in the “Matter of Adopting a Revised Chapter 14: Urbanization, Annexation Policies, Policy 1 for the Florence Realization 2020 Comprehensive Plan . . .” on November 22. The Board continued the hearing to January 31 at 7:00 pm. The hearing will be held at the Florence Events Center. At the hearing on the 22<sup>nd</sup>, Dan Stotter submitted the following language for the Board’s consideration.

*“The procedures of ORS 222.840 et seq. (Health Hazard Abatement) shall be initiated if necessary to address conditions which pose dangers to public health. The local board of health shall independently verify if there are conditions meriting further action under this statute by holding a public hearing to consider if there is sufficient evidence demonstrating that annexation actions are needed to protect the public health.*

*In the absence of a need for health hazard abatement annexation procedures, any annexation of county territory to the City of Florence shall utilize the an annexation method allowable by state law that requires a majority of consents, and shall not utilize annexation utilizing the ‘island annexation’ procedures set forth by ORS 222.750.*

*Any annexation proposed by the City of Florence using the ‘triple majority’ consent procedures of ORS 199.490 (2)(a)(A) shall, in addition, also require the consent of a majority of the electors registered within the territory proposed to be annexed., unless there are more property owners then electors within the territory that is proposed for annexation.”*

#### Mariner’s Village

Community Development Director Sandra Belson and Public Works Director Mike Miller met with concerned citizens of Mariners Village to discuss their concerns about drainage.

#### Coastal Needs Assessment

Assistant Planner Michelle Pezley met with Cinamon Moffett, a NOAA Coastal Fellow working with Department of Land Conservation and Development (DLCD). Ms. Moffett is conducting a needs assessment for DLCD to determine how estuary inventories are currently being used to support planning around estuaries and what data and format would be helpful to coastal communities. Michelle shared how we use estuary & coastal data and what other information would be useful to Florence as we look at options for expanding our Geographic Information System.

#### Quality Child Care of Florence (QCCF)

City staff met with two QCCF board members, Bill Craig (applicant’s representative), Lisa Walter-Sedlacek of Laurel Bay Gardens, and Norm Wells of Ray Wells Inc to discuss submittal requirements for obtaining a building permit.

## 2 - Current and Recently Approved Land Use Applications

With Assistant Michelle Pezley helping out with the processing of building permits and Senior Planner Wendy Farley and Michelle taking turns sitting at the front desk, the City contracted with Melissa Anderson to help with the processing of two current planning applications: Extension of Approval of Cannery Station Planned Unit Development and Conditional Use Permit for a Single-Family Residence in the Commercial Zone.

APPLICATION NAME	APPLICATION #	LOCATION	STATUS
Special Use Permit for extension of Veteran's Wall	AR 11 11 SU 01	Southernmost portion of Kingwood Street right-of-way	Application is complete, staff will prepare a decision once the public comment period ends.
Administrative Design Review for a new storage building at the Wastewater Treatment Plant	AR 11 06 DR 05	650 Rhododendron Drive	This application is on hold until Public Works decides how it proposes to handle construction of the storage building within a public right-of-way.
Extension of Approval of Cannery Station Planned Unit Development	PC 11 12 EAP 02	17 acres at the southwest corner of Highway 101 and Munsel Lake Road	After holding a public hearing on Nov. 22, the Planning Commission granted a six-month extension of the preliminary approval of the Planned Unit Development.
Conditional Use Permit for a single family residence in the Commercial District	PC 11 13 CUP 03	1738 20th Street	After holding a public hearing on Nov. 22, the Planning Commission granted a conditional approval to construct a single-family home.
Conditional Use Permit for a the Central Lincoln Public Utility District's temporary office building	PC 11 14 CUP 08	Northeast corner of the intersection of Hwy. 101 and 126	Application is incomplete.

### **3 – Committees and Grants**

This section of the Community Development monthly report describes activities of committees and progress on grant-funded projects.

#### **CITY COMMITTEES STAFFED BY COMMUNITY DEVELOPMENT**

**Environmental Management Advisory Committee (EMAC), Wendy Farley**  
November 17<sup>th</sup> Regular Meeting – EMAC received an update on the Independent Waste Hauler Financial and Operational Data and Rate Review RFP selection process. The RFP was posted to the City's website on October 20<sup>th</sup> and closed on November 10<sup>th</sup>. On November 14<sup>th</sup> EMAC members MacDuffee and Sullivan, staffers Betz, Reynolds and Willoughby, and hauler representatives Twombly and Webb reviewed the RFP responses. As of the Nov. 17<sup>th</sup> meeting references were being called. EMAC also reviewed the final Greener Florence education flyer to be included in the Business License Renewal mail-out scheduled for November 22<sup>nd</sup>. County Transfer reported their summary results of a weight study performed on various container sizes. An update was provided on the City Hall kiosk by Chairperson Sandy Davidson.

Other November Activities: On November 25<sup>th</sup> the selected RFP firm—Bell & Associates was notified and regrets were sent to the other applicants. The firm is under contract and has started their review of the financial records. The Department of Environmental Quality approved the City's 2010 Opportunity to Recycle report submitted in February 2011.

Next Meeting –The next EMAC meeting is scheduled for December 15<sup>th</sup> and will include topics such as: Update on the independent consultant for financial materials review and continuation of recycling webpage design.

#### **Parks and Recreation Committee, Wendy Farley and Mike Miller**

Council decided to suspend soliciting committee members due to the limited response and the delay in developing a parks capital improvement plan.

#### **Planning Commission, Sandra Belson**

At its meeting on Nov. 8, the Planning Commission was joined by several members of the Transportation Project Advisory Committee in viewing a powerpoint presentation on recent bicycle and pedestrian projects in Florence and by watching a video on the difference between a road and a street.

At its meeting on Nov. 8, the Commissioners reviewed the quasi-judicial public hearing process.

At its meeting on Dec. 13, the Commission will identify code amendments that will fix current problems with Title 10. These will then be presented to Council for its consideration for initiating amendments at its Dec. 19 meeting.

## GRANT FUNDED PROJECTS

### **Update Transportation System Plan (TSP), Community Transit Plan, and Capital Improvement Plan (CIP) for transportation improvements**

Transportation & Growth Management (TGM) Grant managed by Sandra Belson  
\$155,000 - *joint program of DLCDC and Oregon Department of Transportation (ODOT), financed in part by federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and State funds*

Some members of the PAC is also invited to join the Planning Commission at its meeting on November 8 for the transportation-related agenda items. At its meeting on Thursday, November 10, the Committee reviewed facility standards and the past and future of transportation financing. The Committee will review transportation costs and priorities at its meeting on Dec. 8. Dan Graber will also report on the Urban Renewal project for Quince/2<sup>nd</sup> Street improvements. For more information about the update of the Transportation System Plan, check out the project website at <http://sites.kittelson.com/FlorenceTSP>.

### **Siuslaw Estuary Partnership**

West Coast Estuaries Initiative for Coastal Watersheds managed by Sandra Belson  
\$566,797 - *United States Environmental Protection Agency (EPA)*

The Siuslaw Estuary Partnership is a collaborative effort to protect and improve water quality and fish and wildlife habitat in the lower Siuslaw River Watershed. The public web site contains the most recent products from the project: [www.siuslawwaters.org](http://www.siuslawwaters.org)

- I. **SCIENTIFIC INVESTIGATION:** The Interdisciplinary Team continued to provide staff support for the project.
- II. **PUBLIC EDUCATION AND STEWARDSHIP:**
  - n Staff met with the superintendent of the Siuslaw School District who will present, at the December Board meeting, the City's request for a member of the School Board to participate as a Stakeholder for the Aquifer Protection Plan.
  - n The EPA Work Plan calls for a Focus Group to be formed the last year of the project to provide in-depth review and comment on the products. Three products are scheduled for completion next calendar year: Aquifer Protection Plan, Wetlands and Riparian Areas Plan, and Siuslaw Estuary Trail. These and other aspects of the Partnership will be presented to the Focus Group as early as January 2012.
  - n The third Open House is scheduled for April 30, 2012 at the Florence Events Center. Draft reports will be presented for public comment. A newsletter will be prepared and distributed throughout the study area prior to the Open House.

- n Staff continue to explore options for the Estuary Trail. City staff have met with members of the Port Board to determine the best way to reach agreement on use of the Port property for a trail. ODOT staff are scheduled to meet with City staff and consulting engineers on December 15 and will, at that time, begin to scope out the costs and requirements for enlarging the culvert in Munsel Creek.

### III. **WATER QUALITY AND QUANTITY:**

- n **Water Monitoring Program:** George Ehlers, Lane County contract sanitarian, came to Florence on November 3 to investigate the septic systems around the Well B2. There were some problems with the septic system located due east (immediately up-gradient) of the monitoring well, and those problems appear to be fixed. Staff will continue to take samples from the existing test wells and is considering installing another well to see if the high nitrate levels attenuate.
- n **Aquifer Protection Plan:**
  - n GSI Water Solutions, the hydrogeologist consultants for the project, submitted the draft Source Water Protection Areas (SWPA) Maps to the Oregon Health Authority (OHA) for state certification on October 31, 2011. OHA has 60 days to respond with a timeframe for them to decide on the delineation. Other activities can occur simultaneously with OHA's review, including the Technical Advisory Committee (TAC), the Stakeholder process, and the development of the Potential Contaminant Source Inventory.
  - n GSI is working with staff team members from the Oregon Department of Environmental Quality (DEQ) on a preliminary Contaminant Source Inventory, based on existing information from the 2003 Inventory and planned land uses in the area.
  - n The DWSA within the North Florence Sole Source Dunal Aquifer, once delineated and certified by the OHA, will be considered a "significant groundwater resource" under Goal 5 because the "public water system served by the wellhead area has a service population greater than 10,000 or has more than 3,000 service connections and relies on groundwater from the wellhead area as the primary or secondary source of drinking water."<sup>1</sup>[1] As such, it will be adopted as part of Florence's Comprehensive Plan along with policies to protect the resource.
  - n DEQ will certify the Aquifer Protection Plan for the Source Water component. Local adoption is not required for that to occur; but the City and the County both have to "sign off" on the Plan before DEQ will certify

it. This “sign off” could occur by motion after a work session with the City Council and the Board of Commissioners. It could conceivably be a joint work session. Staff could put the item on the agenda and ask for a motion of support for the Plan and then it would be submitted to DEQ. Then, the Comprehensive Plan and Code amendments would be submitted to the City Planning Commission and Council with the goal of City adoption by September 30, 2012. County co-adoption could occur after City adoption; but co-adoption was not promised in the EPA grant work plan. City and County staff could ask to have this item go before the elected officials in the Spring, after the April 30 Open House. That way, staff can report on any public comments received at the Open House.

- n As of this writing, three Community Stakeholders have expressed willingness to serve on the Stakeholder Group for the Aquifer Protection Plan; additional members are being sought to represent residents, property owners, and business owners in the UGB, including the golf course.
- n **Siuslaw Interpretive Site:** Construction of the stormwater demonstration site is a match project in the EPA Work Plan. A draft land use application document was prepared in November and is now being reviewed by Public Works staff along with site plans and drawings. Once the application has been submitted to the Community Development Department, it will be reviewed and scheduled for a Planning Commission public hearing.

#### **IV. WETLANDS AND RIPARIAN AREAS PLAN:**

Carol Heinkel and Sandra Belson are working closely with staff from the Department of Land Conservation and Development to propose significance criteria that make sense for Florence using the Oregon Rapid Wetlands Assessment Protocol (ORWAP). Since Statewide Planning Goal 17 “supersedes Goal 5,” any wetlands that are already subject to the Coastal Overlay Zones in Florence are not subject to the Goal 5 process. The study area for land use measures in the Partnership is the urban growth boundary (UGB); and there appear to be 13 non-Goal 17 wetlands in the Florence UGB. Of these, eight scored a “10” (the highest score possible) for Water Quality Function. City Recorder and GIS Technician Kelli Weese is in the process of overlaying the Coastal Shorelands Overlay Zones onto the wetland maps to get a precise depiction of the wetlands subject to Goal 5. Lane County staff are overlaying County Zoning, including overlay zones, to make a similar determination and also to ascertain if any potential land uses outside the UGB pose a threat to the wetlands that provide recharge and/or water quality function for the aquifer.. Once the mapping is done, staff will fine tune proposed significance criteria and seek concurrence from the Department of State Lands (DSL). Then, the proposed criteria will be presented to Council and, if all agree, DSL will be asked to formally “accept” the proposal for use in Florence.