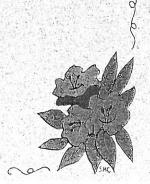


# CITY OF FLORENCE

# INDUSTRIAL LANDS INVENTORY

October 2001



#### INDUSTRIAL LANDS INVENTORY

October 2001

Preparation of an inventory of the industrial land base is a necessary step in the projection of industrial land use needs. As part of the Periodic Review update of the City's 1988 Comprehensive Plan, such an inventory was prepared (Issue Paper # 1, Commercial and Industrial Land Uses, July 1997). This study concluded that,

"In summary, staff believes that the current amount of industrially zoned land is more than adequate for the 20 year planning period. Converting the last of the industrially planned and zoned land northeast of Munsel Lake Road (to residential designation) will not adversely impact the city's supply of industrial land, nor is this an appropriate location for such development given current and anticipated surrounding uses. While it might also be desirable to consider additional surpluses of industrially planned and zoned land for accompanying competing land use needs, a comfortable buffer should remain to support successful economic development efforts."

The July 1997 study identified industrial lands generally as follows:

TABLE I - Industrial Lands - July 1997

Area	Acres	Percent
Total City	2,133.00	100.0%
Industrial Zoning	159.31	7.5%
Industrial Use	11.47	7.2%
Other Use	0.28	0.1%
Vacant	147.56	92.6%
Publically owned industrial	119.37	74.9%
Privately owned industrial	39.94	25.1%

There has been significant change in the inventory since July 1997. The Airport Industrial Park now has only two lots vacant. Pacific View Business Park (Kingwood Business/Industrial Park) has been developed as a fully serviced business/industrial park with 52 lots of varying sizes. Eleven lots have been sold. Pacific View Drive has been constructed to the property line of the Port's 40 acre parcel west of Pacific View Business Park. All utilities are available at the east boundary of this parcel. The 40-acre parcel has been rezoned from Marine to Limited Industrial as part of a Comprehensive Plan amendment regarding Especially Suited Water Dependent lands. This Plan amendment and accompanying rezone has been acknowledged by LCDC.

A detailed inventory of industrial lands is provided in Table 2.

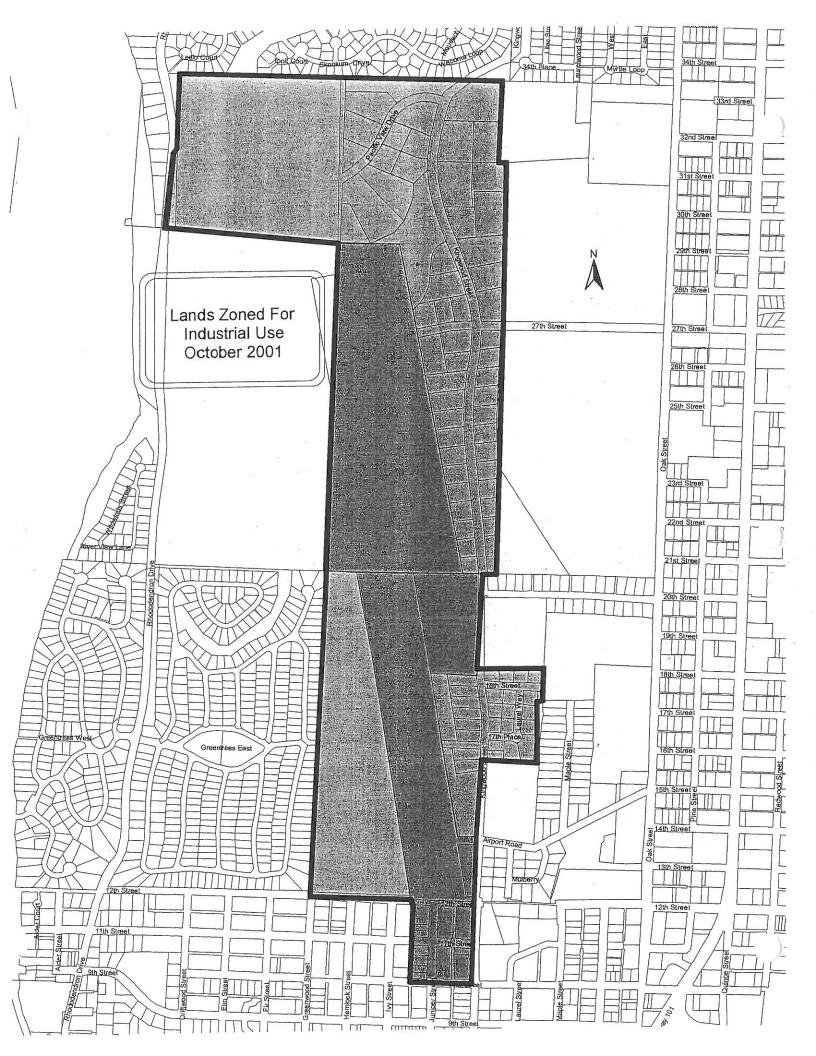


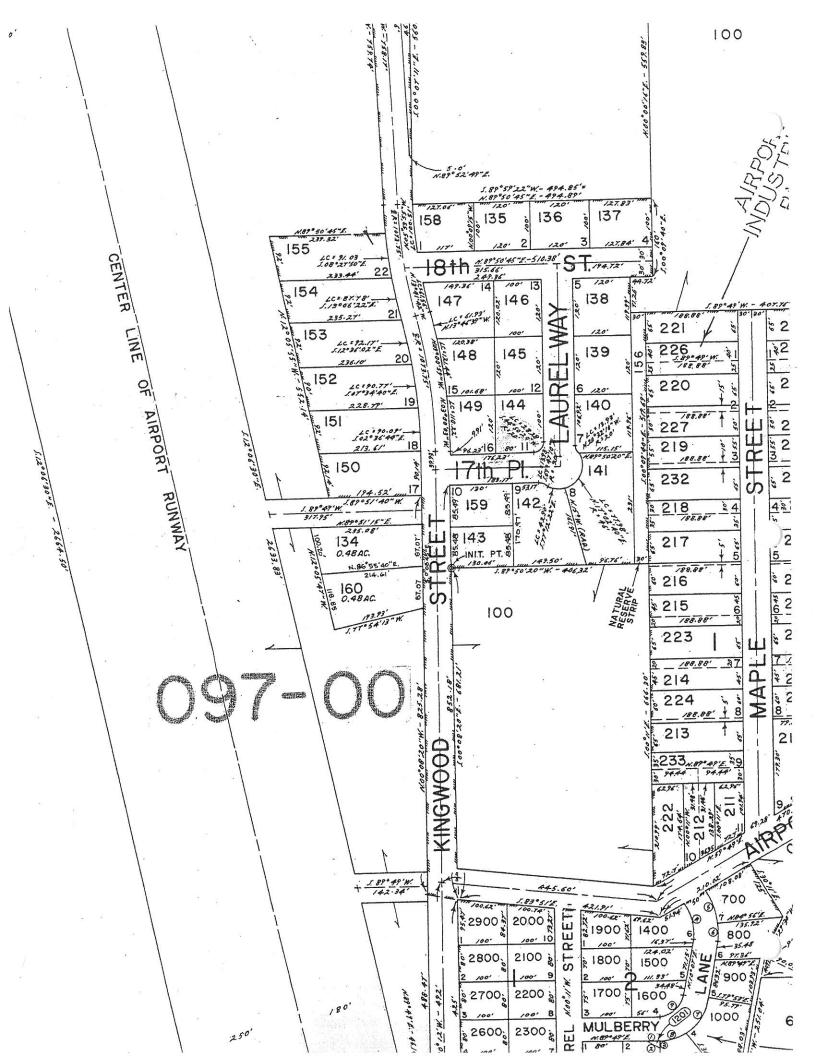
TABLE 2 - Industrial Lands Inventory - July 2000

Map Number	Lot size	Status	Comments
18-12-27, TL 137	0.29	Developed	
TL 136	0.28	Developed	
TL 158	0.28	Developed	Large vacant building
TL 155	0.49	Developed	Contractor's yard
TL 154	0.50	Developed	Contractor's yard
TL 153	0.50	Developed	Developed as one complex with multiple tenants
TL 152	0.47	Developed	
TL 151	0.45	Developed	12
TL 150	0.40	Developed	Manufacturing
TL 134	0.48	Developed	Manufacturing
TL 160	0.48	Vacant	
TL 147	0.34	Developed	
TL 148	0.34	Developed	
TL 149	0.28	Developed	Vacant restaurant
TL 146	0.28	Vacant	
TL 145	0.28	Developed	
TL 144	0.18	Developed	No. 2012
TL 159	0.26	Developed	Developed as one complex with multiple tenants
TL 143	0.26	Developed	
TL 142	0.54	Developed	
TL 141	0.52	Developed	
TL 140	0.28	Developed	Multiple tenant building
TL 138	0.33	Developed	Single structure on two lots
TL 139	0.33	Developed	
TL 102 (industrial portions only)			City owned, abuts airport runway
18-12-22		i i i i i i i i i i i i i i i i i i i	
TL 701	40.08	Vacant	Port of Siuslaw
TL 802	0.02	Vacant	Port of Siuslaw
18-12-27, TL 105	6.35	Developed	County shops
Pacific View Busine	ess Park18-12-22		
TL 100(Lot 1)	0.35	Vacant	
TL 200(Lot 2)	0.42	Vacant	
TL 300 (Lot 3)	0.46	Vacant	
TL 400(Lot 4)	0.50	Vacant	
TL 500(Lot 5)	0.54	Vacant	
TL 600(Lot 6)	0.58	Vacant	,
TL 700(Lot 7)	0.62	Vacant	
TL 800(Lot 8)	0.67	Vacant	

TL 900(Lot 9)	0.75	Vacant	
TL 1000(Lot 45)	0.72	Vacant	Sold (Siuslaw School District)
TL 1100(Lot 46)	0.69	Vacant	Sold (Siuslaw School District)
TL 1200(Lot 47)	0.63	Vacant	
TL 1300(Lot 48)	0.55	Vacant	
TL 1400(Lot 49)	0.48	Vacant	Sold
TL 1500(Lot 50)	0.41	Vacant	Sold, research facility
TL 1600(Lot 51)	0.34	Vacant	Sold, telecom facility
TL 1700(Lot 52)	0.47	Vacant	Sold, telecom facility
18-12-22-42			
TL 100(Lot 10)	0.86	Vacant	
TL 200(Lot 11)	1.01	Vacant	
TL 300(Lot 12)	0.65	Vacant	
TL 400(Lot 13)	1.00	Vacant	
TL 500(Lot 14)	1.13	Vacant	
TL 600(Lot 15)	0.68	Vacant	
TL 700(Lot 16)	0.61	Vacant	
TL 800(Lot 17)	0.66	Vacant	
TL 900(Lot 18)	1.37	Vacant	
TL 1000(Lot 19)	0.91	Vacant	
TL 1100(Lot 38)	1.85	Vacant	
TL 1200(Lot 39)	1.19	Vacant	
TL 1300(Lot 40)	1.11	Vacant	
TL 1400(Lot 41)	0.56	Vacant	Sold (State forestry office)
TL 1500(Lot 42)	0.61	Vacant	
TL 1600(Lot 42)	0.68	Vacant	
TL 1700(Lot 44)	0.72	Vacant	
TL 18-12-22-13	0.72	Vacant	E CONTRACTOR OF THE CONTRACTOR
	4.96	Vacant	
TL 100(Lot 20)	3.20	Vacant	
TL 200(Lot 21)	2.11	Vacant	
TL 300(Lot 22)	1.07	Vacant	Sold, manufacturing
TL 400(Lot 23)		Vacant	Sold, manufacturing
TL 500(Lot 24)	0.85	Vacant	50id, mandiaetaring
TL 600(Lot 25)	1.43	Vacant	Sold (private business)
TL 700(Lot 26)	0.69		Sold (private business)
TL 800(Lot 27)	0.80	Vacant	
TL 900(Lot 28)	0.75	Vacant	
TL 1000(Lot 29)	1.43	Vacant	
TL 1100(Lot 30)	1.78	Vacant	
TL 1200(Parcel A)	2.14	Buffer strip	
TL 1300(Lot 31)	3.06	Vacant	
TL 1400(Lot 32)	1.67	Vacant	
TL 1500(Lot 33)	2.04	Vacant	
TL 1600(Lot 34)	2.18	Vacant	
TL 1700(Lot 35)	1.56	Vacant	G 11 (C + -1T' - 1 DITE)
TL 1800(Lot 36)	2.04	Vacant	Sold (Central Lincoln PUD)
TL 1900(Lot 37)	1.24	Vacant	1

18-12-27-1		я	
TL 101	31.98	Vacant	
TOTAL	148.15		

Map Number		
18-12-27, TL 137		
TL 136		
TL 158		
TL 155		
TL 154		
TL 153		
TL 152		
TL 151		
TL 150		
TL 134	Page   Page	



#### **Industrial Land Use Projections**

The conclusion in the July 1997 study that industrial development in Florence is not a function of population growth remains valid. Population growth in the last decade includes a significant number of retired households which have placed demand on the housing market, but have not added significantly to the local labor force. The demand for housing has supported businesses involved in building and development, allowing several of them to expand and/or relocate into the Airport Industrial Park. None of these expansions/relocations have provided significant increases in employment in the area. There are a few small manufacturers in the Airport Industrial Park, but total employment is less than 50 permanent employees.<sup>1</sup>

Both the Airport Industrial Park and Pacific View Business Park were constructed with funds whose purpose is the creation of year-round, family wage employment. This goal was not realized in the Airport Industrial Park, and has not been realized in lot sales to date in Pacific View Business Park. The City, with the assistance of a consultant, has prepared a marketing study for Pacific View Business Park. The City's Economic Development and Marketing Committee, which includes representation from the Port of Siuslaw and the Chamber of Commerce, has recommended a marketing implementation plan to the City Council. Due to severe fiscal constraints in the City's budget, the Council is reviewing current expenditures for marketing to see how marketing can be done more effectively.

Whether an aggressive marketing effort will change the absorption rate of industrial lands is still to be seen. The absorption rate in the Airport Industrial Park continues to be about 0.67 acres per year. No development had occurred in Pacific View Business Park until Summer 2000. Initial construction is under way on the Central Lincoln PUD power substation on Lot 36. The Oregon State Forestry office and the School District Maintenance facility and bus barns are completed. Sales have accelerated in 2001, with the sale of 5 lots. Lot sales and growth must be monitored to ensure a sufficient supply of such lands for the planning period.

The Planning Commission/Citizens Advisory Committee determined, as part of this inventory update, that there is a lack of lands available for land-extensive, heavy industrial uses such as contractors yards, concrete batch plants, sand extraction operations and the like, as well as some land-extensive commercial uses. An inventory of such uses provides information about current locations and lot sizes of these existing operations.

TABLE 3 - EXISTING LAND EXTENSIVE INDUSTRIAL OPERATIONS

Business	Location	Zoning	Lot Size	Comments		
Leisure Excavating	4525 Hwy 101	Highway	1.97	Located immediately south of Fred Meyer store. Business owner would like at least 3 – 5 acres.		
Duman Excavating	5635 Hwy 126	County Commercial	0.60			
Wells Excavating	Kingwood	Limited Industrial	0.50	Operating without permits. Use incompatible with surrounding business/ light manufacturing uses due to noise, dust, debris from chipping wood products		
Sand Ranch	2105 Hwy 101	County	+/- 40 acres	Located in area proposed for new Limited Industrial District. Existing use, has state permits for sand extraction.		

Based on Oregon Department of Employment data.

Viking Concrete	1675 32 <sup>nd</sup> Street	Multi-family Residential District	1.65 acres	Located between Pine and Oak Streets in Multi-family District. Lane Community College Campus located directly to west across Oak Street. Residential uses north and south of lot.
(Copeland) Lumber	300 Hwy 101	Commercial		Located in Downtown immediately north of the proposed Downtown Green. Use inconsistent with Mainstreet concept. Land will become too valuable to continue in this use due to its prime location in Downtown. Could relocate in Highway Dist.
Sunset Manufactured Homes	4981 Hwy 101	Highway, (proposed North Comm. Dist.)		West extension of Munsel Lake Road will likely cause relocation of this business.
Terrace Homes	2825 Hwy 101	Highway		Houses manufactured home dealership as well as construction yard for Koning/Cooper. Operations yard faces, and accesses via Pine Street in a residential neighborhood, site small for both adequate display of homes and construction activities
Len's Home Center	4060 Hwy 101	Highway		Prime Highway 101 frontage. Remainder of lot developed as an RV park. Southwest corner of lot a residence in poor condition used as a rental. Front of block could be redeveloped in commercial use.
ACE Building Center	3231 Hwy 101	Highway		Occupies front of block abutting Viking Concrete. No room for expansion. Site maxed at this time.
Serve-n-Save Building Materials	87632 Hwy 101	County	3.28 acres	
Hanson Logging	87633 (?) Hwy 101	County	1.55 acres	
ODOT Maintenance Yard	1580 15th	Commercial		Located one lot removed from Highway 101 in Commercial District. Have indicated a desire to move the operation from this location

The existing land-extensive uses are located on lots that are too small, or just adequate for existing operations. The Comprehensive Plan is projecting needs for industrial development for the 20-year planning period. During this period, given the projected average annual growth rate of 3% causing a need for new homes and businesses, that there will be a need for these primarily development oriented, land extensive businesses to expand and likely relocate. These businesses are now generally located on lots varying from one-half acre to slightly less than 2 acres. Expansions will be seeking sites generally 1.5 to 5 acres in size.

None of the vacant lots in the Airport Industrial Park are larger than about one-half acre. In Pacific View Business Park, the largest lots are located north of 27<sup>th</sup> Street. Of these lots, Lots 21 – 30, and 33, 34 and 37 are restricted to business/research campus type development by the CC&Rs of the subdivision. These lots are at a higher elevation than the remaining lots, have ocean views and are located in close proximity to the Florence Municipal airport and the Sandpines Golf Course. The goal in creating these restricted prime lots was to provide lots with amenities that would be more nearly competitive with lots in the Willamette Valley in attracting companies that would provide family wage employment to replace jobs lost in the timber and fishing industries. There are no other lots in the UGB that have the same combination of competitive features.

Remaining lots of 1.5 acre or greater are Lots 20, 31, 32, 35, 36 and 38. Lots 20 and 31 are severely topographically constrained. Lot 36 is owned by Central Lincoln PUD and is being developed as a power substation. Lots 32, 35 and 38 could be developed for land-extensive industrial uses subject to the requirements of the Limited Industrial Zoning District (LID). The LID allows such land-extensive uses as building material sales, equipment sales and rental yards, wholesale greenhouses and nurseries, trucking yards, terminals, sales and service; and wholesaling/warehousing of consumer goods, contractors equipment, building materials, lumber but specifically not general retail sales or service establishments. This is not intended to be a commercial district. The goal is to retain these scarce, larger lots with access to arterial streets for the identified need only.

Contractors yards, mineral extraction, concrete batch plants, and other similar land extensive uses with heavy equipment and/or outdoor storage of large amounts of raw materials were not included in the LID, nor are they suitable given the ½ to 1 acre sizes of most of the lots. Photos of a non-permitted contractors yard in the LID illustrates the incompatibility of this type of use with the permitted uses in the LID.

The Port's 40-acre parcel is also zoned Limited Industrial and will access via Pacific View Drive which traverses the City's business park lots. The City is working with the Port to encourage types of development that will be compatible with the business park lots in order to have those lots remain competitive and realize the goal of attracting family wage employment to the city. The remaining large piece of industrial land is the approximately 30-acre parcel located west of the airport runway. This parcel abuts Greentrees, a gated residential subdivision with over 100 dwelling units, and is not an appropriate site for heavy industrial uses.

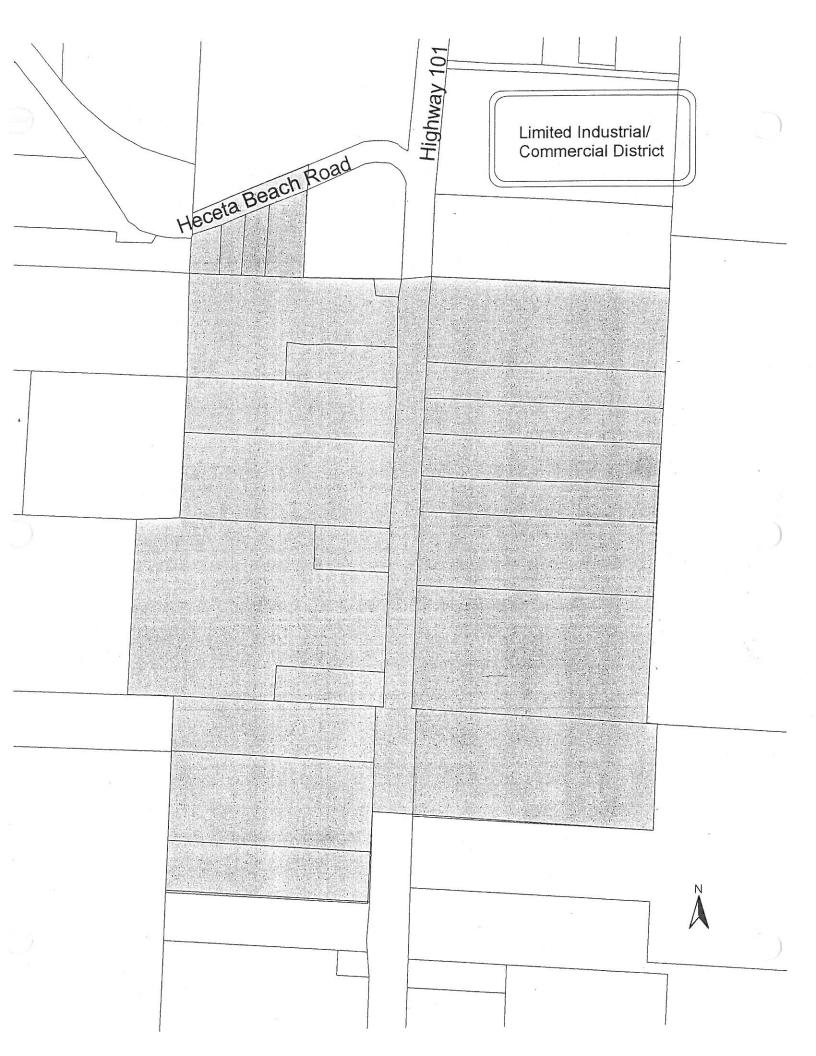
The Planning Commission/Citizens Advisory Committee evaluated these needs against available lands in the community and determined that additional lands for land-extensive industrial uses were needed for the 20-year planning period. Criteria used were: adequate lot size, conflicts with surrounding uses, access through non-residential areas, potential traffic signal locations, parallel local street network, and existing uses.

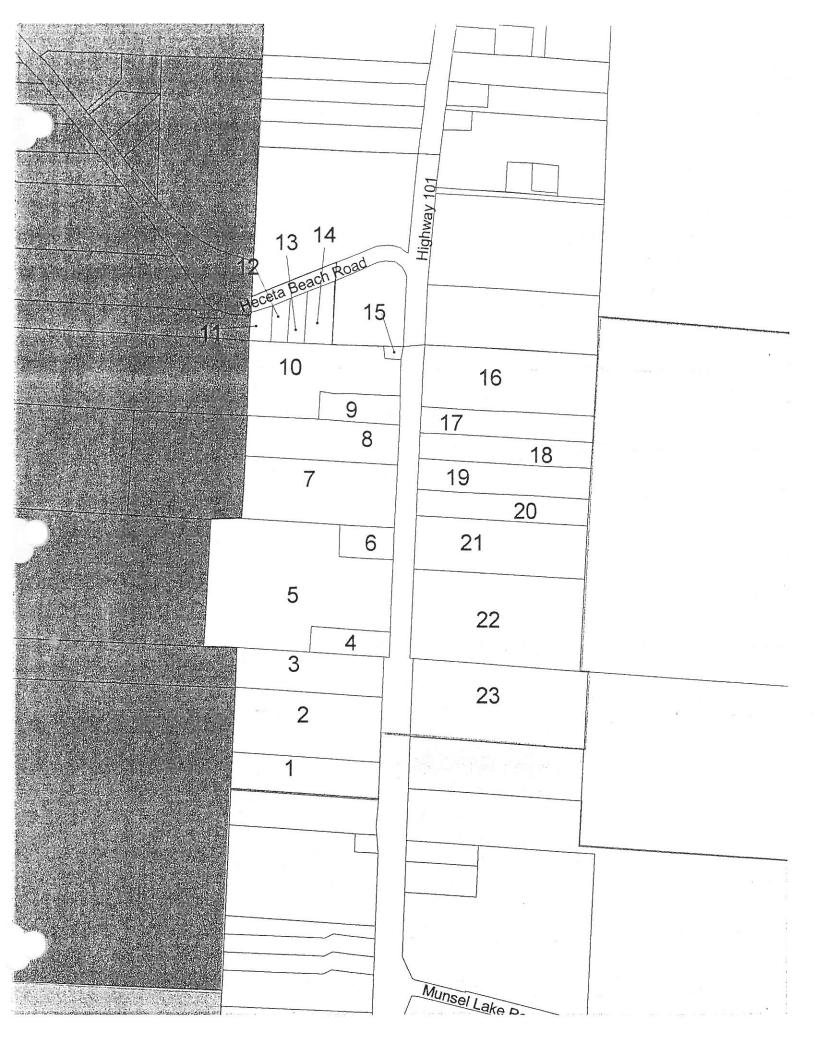
The result of this evaluation was the recommendation for a new Limited Industrial/Commercial District to be located on both sides of Highway 101, north of the proposed North Commercial District. Lots here are two blocks deep and generally two acres or more in size or can be easily combined to form lots of this size. The proposed district would require that equipment, storage, and goods be located behind vegetated berms, with only the office/commercial building being on the Highway 101 frontage. The highway frontage must be landscaped and only monument signs would be allowed. Shared driveways would be required, until the parallel local streets (Oak and Spruce) could be developed. Other building industry uses such as offices for engineers, surveyors, designers, etc. would be allowed. This area is intended to be an extension of the North Gateway begun at the Neighborhood Commercial Gateway District at Hwy 101 and Heceta Beach Road.

An inventory of lots, uses and zoning, and a map of the proposed area follows:

TABLE 4 - INVENTORY OF LANDS IN PROPOSED LIMITED INDUSTRIAL/ COMMERCIAL DISTRICT

Map location (Map code #)	Size of parcel	Zoning	Existing Use	Comments
18-12-11-33		County zoning is a	Existing uses are a	
TL 300(14)	0.53	mix of rural	mix of residential,	
TL 400(13)	0.28	residential and commercial,	small commercial and vacant lands.	
TL 500(12)	0.23	depending on the	and vacant lands.	
TL 600(11)	0.24	specific lot		
TL 700(15)	0.08	1		
TL 800(16)	3.67	1		
TL 900(17)	1.54	1		
TL 1000(9)	0.78			Owned by same owner as Map Code # 8
TL 1100(8)	2.13	0.0		
TL 1200(18)	1.55			
TL 1300(19)	1.80			
TL 1400(20)	1.55			Same owner as Map Code # 22
TL 1500(7)	3.28			
TL 1600(5)	6.88			Same owner as Map Code # 4
TL 1700(6)	0.60			
TL 1800(21)	3.14			
TL 1900(22)	5.29			
TL 2000(4)	0.69			
18-12-14-20				
TL 100(23)	4.63		}	
TL 2000(1)	1.84			
TL 2100(2)	3.27			
TL 2200(3)	2.02			
18-12-10-40				
TL 1800(10)	11.84			
Total	57.85			

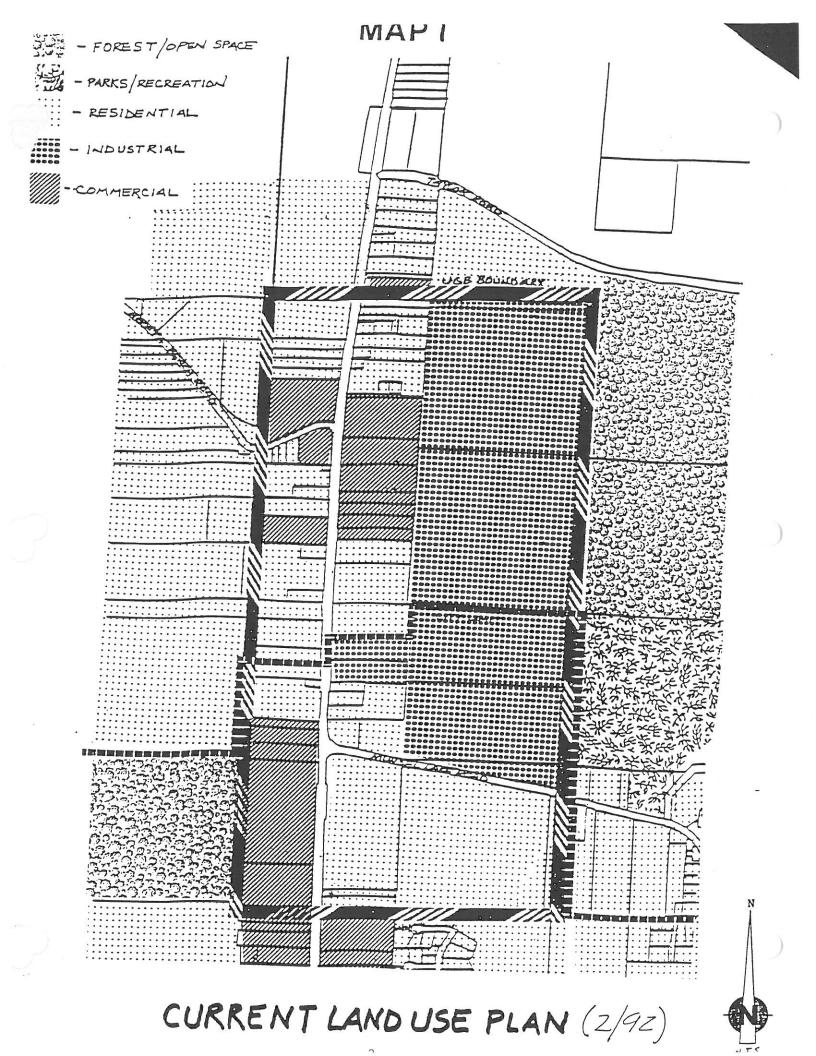


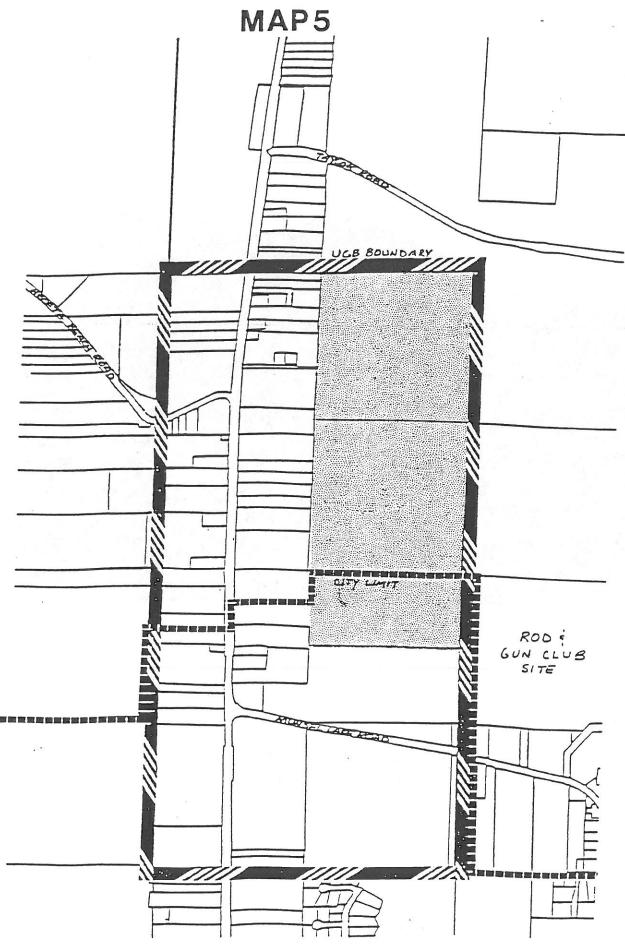


LOT	MAP	ACRES	OWNNAME	ADDR1	ADDR2	ADDR3
J.00	21,133.00 21,420.00	1.84	SAUBERT FAMILY LT. SHERMAN JOHN W TE	86451 ROSE HILL RD 1730 NE BURRIS	FLORENCE OR 97439 CORVALLIS OR 97330	
$\frac{4,000.00}{2,000.00}$	42,553.00	2.52				
1,800.00 -1,800.00	21,040.00 21,133.00		JEREMIAH ROBERT L WILSON PALMA M	P O BOX 543 P O BOX 2978	COTTAGE GROVE OR FLORENCE OR 97439	
	42,173.00	14.98				
1,800.00				27		
100.00 3-100.00	21,420.00	4.63	PICKNER KATHERINE	P O BOX 1642	FLORENCE OR 97439	
	21,420.00	4.63		a .		
100.00						
2,100.00	21,420.00	3.27	WICK ROBERT Z & VI	%MERRITT DAVID R 3	1170 ALDER CT	FLORENCE OR 97439
	21,420.00	3.27				
2,100.00						
<u>J0</u> 0.00	21,420.00	2.02	HIGGINSON DARRELI	04864 SEAPINE DR	FLORENCE OR 97439	
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0.00			HIGGINSON DARRELI	04864 SEAPINE DR	FLORENCE OR 97439	
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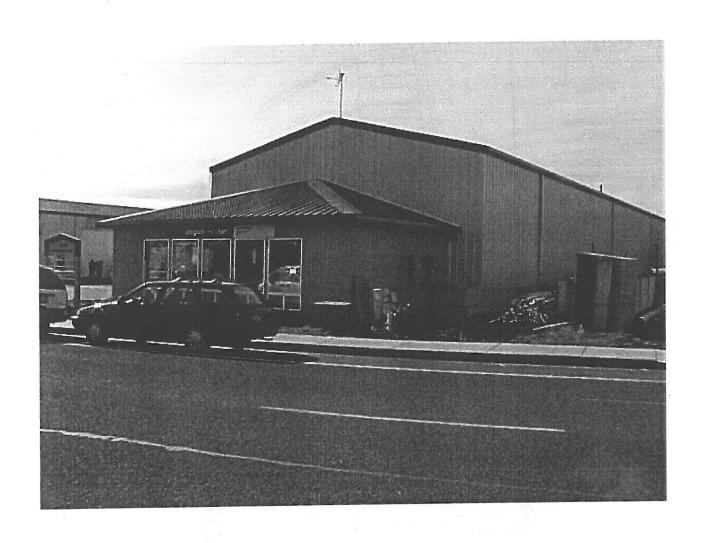
HIGHWAY 101 NORTH CORRIDOR LAND USE STUDY

FEBRUARY 1992

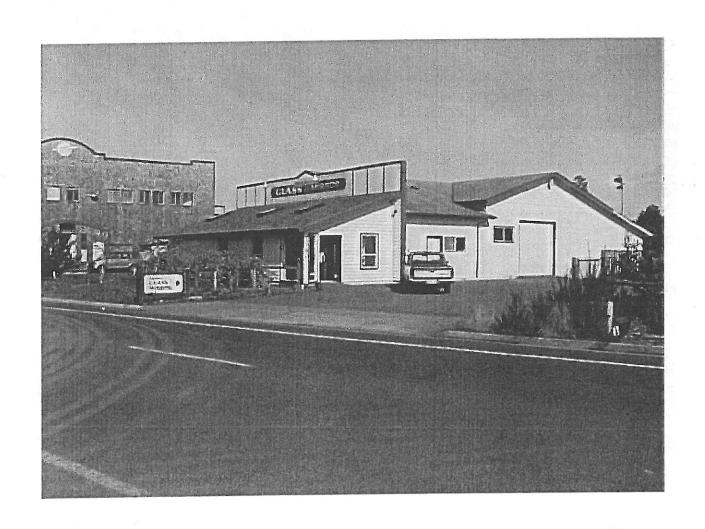




RECOMMENDED RESIDENTIAL ADDITIONS (2/92)



Airport Industrial Park Conforming Use



Airport Industrial Park Conforming Uses



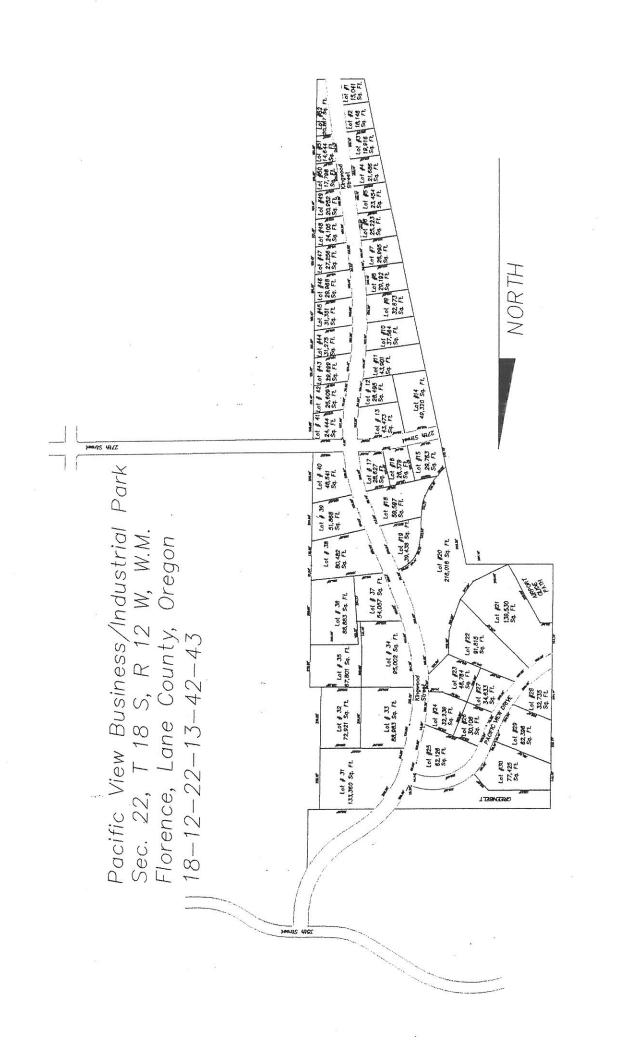
Airport Industrial Park
Non permitted excavation
business site adjacent
to conforming site



Airport Industrial Park
Non permitted excavation
business site adjacent
to conforming site



Airport Industrial Park
Non permitted excavation
business site adjacent
to conforming site



## KINGWOOD BUSINESS/INDUSTRIAL PARK FLORENCE, OREGON

# COVENANTS, CONDITIONS AND RESTRICTIONS

The undersigned, City of Florence, an Oregon Municipal corporation, is the owner of all real property described in Exhibit A which is attached hereto and made a part hereof, and the undersigned, for the purposes stated in Article I, do hereby covenant and agree with one another and on behalf of the successors and assigns of each of the parties, that this Declaration of covenants, conditions and Restrictions shall constitute a covenant running with the land and shall take force and effect upon recordation.

Now therefore, the undersigned do hereby adopt the following Declaration of covenants, conditions and Restrictions affecting the real property described in Exhibit A:

# ARTICLE 1 - GENERAL PURPOSE OF CONDITIONS:

The purpose of these covenants, conditions and restrictions is to insure the development of a desirable environment for the Florence Business/Industrial Park; and to further insure compatible land use, appearance and general operating characteristics between park users.

# ARTICLE 2 – DEFINITION OF TERMS:

- A. <u>Approved</u>: shall mean approved by the Florence City Council or their designated agents.
- B. <u>Building:</u> The terms "building" and "structure" shall be synonymous, and shall mean that which is framed, erected, constructed or placed to stand temporarily or permanently on a parcel of land. "Building" shall include both the main portion of such building and all projections or extensions therefrom including garages, outside platforms and docks, carports, canopies and porches. Driveways and walks less than six (6) inches higher than the ground on which they rest, and planting and ground cover shall not be considered buildings.
- C. <u>Building Height:</u> The vertical distance from the average finished grade at the front of a building to the highest point of a coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.
- D. <u>Building site</u>: shall mean the entire lot or lots (if contiguous) developed by one user.
- E. <u>City</u>: shall mean the City of Florence, Oregon, its Council or any duly constituted agent or committee appointed by said Council to fulfill the obligations herein required.

- F. <u>County</u>: shall mean Lane County, Oregon, or its successor; the duly elected commissioners or any duly constituted agent or committee appointed through said commissioners to fulfill the obligations herein required.
- G. <u>Curb cut</u>: shall mean an opening in a street curb through which a road or driveway passes to gain access to a building site.
- H. <u>Curb Level</u>: shall mean the topmost level of the established curb in front of the building measured at the center of such front.
- I. <u>Front Lot Line</u>: shall mean the property line which faces any public street or private access easement. For corner lots, any property line facing Kingwood Street shall be considered as a front lot line.
- J. <u>Improvements</u>: shall mean and include building(s), outbuilding(s), appurtenances thereto, walls, screens, fences, and structures of any type or kind, parking and loading areas, lawn, trees and landscape planting, roads, driveways, etc.
- K. <u>Lot</u>: shall mean land occupied or to be occupied by any improvements, including such open spaces as are required, and having frontage upon a public street or private road easement.
- L. Rear Lot Line: shall mean a property line which is opposite, usually parallel to the front lot line, and most distant from the front lot line.
- M. <u>Setback</u>: shall mean the distance a building must be set back from a lot line of a parcel.
- N. Side Lot Line: shall mean a property line which is not a front or rear lot line.
- O. <u>Street:</u> shall mean an officially approved public or private road or access easement, which affords a principal frontage or means of access to abutting property.
- P. <u>User</u>: shall mean owner or lessee who improves and uses a building site or lot.

## ARTICLE 3 – PERMITTED USES

Those uses as outlined in (Florence City Code) Title 10, Chapter 20, Limited Industrial District, except on Lots 21 through 30, the following uses only shall be permitted:

- a. Administrative, professional or governmental offices
- b. Scientific or research laboratories
- c. Restaurants
- d. Accessory buildings and uses normal and incidental to the buildings and uses permitted in this section.

# ARTICLE 4 – PERFORMANCE STANDARDS

No land or structure shall be used or occupied in such a manner as to create a dangerous, injurious, noxious, or otherwise objectionable condition which may affect any property, including but not limited to the following:

#### A. Fire and Explosive Hazard:

No activity shall be undertaken involving fire or explosive hazard which shall endanger the property, improvements, any user, employees or invitees.

#### B. Noise:

The sound level of any individual plant or operation (other than the operation of motor vehicles, aircraft, or other transportation facilities) shall comply with applicable city codes, and shall at any point beyond the property line not be permitted to exceed a level which would be objectionable. Noises made by devices which are maintained and utilized solely to serve as warning devices are excluded from the foregoing limitation.

#### C. <u>Vibration & Shock</u>:

No vibration or shock perceptible to a person other than that caused by temporary construction, highway vehicles, or aircraft shall be permitted which is discernable beyond the property line of the use concerned.

#### D. Water Pollution:

No use will be permitted which violates the applicable minimum standards of any governmental body or agency having jurisdiction.

#### E. <u>Air Pollution:</u>

No use will be permitted which violates the applicable minimum standards of any governmental body or agency having jurisdiction. In addition to the requirements of the preceding (sentence),

- 1. No use will be permitted to discharge into the atmosphere any smoke, gas, fumes, aerosols, particulates, products of combustion or other air pollutant (other than motor vehicles exhaust emissions) which could be eliminated by the use of the best emission control technology and equipment then available, and
- 2. All uses which emit any pollutants to the atmosphere shall be conducted within completely enclosed buildings, and
- 3. The emission of odors which are detectable by a person of normal sensibilities at any point beyond the user's property line will not be permitted.

## F. Radioactive Materials:

The handling of radioactive materials, (and/or) the discharge of such materials into air and water is prohibited.

## G. <u>Dust and Sand Control</u>:

All ground areas not covered by structures shall be landscaped as defined in Article 5, Paragraph 1; or surfaced with concrete or asphaltic concrete; shall be maintained in a good condition, free of weeds, trash and other debris; and shall be graded for effective drainage. Except as modified in Article 5, Paragraph 1, such development shall be accomplished before building occupancy.

#### H. Heat or Glare:

Any operation producing intense, direct or sky-reflected glare or heat shall do so in such a manner that the glare or heat emitted will not be discernable beyond the property line of the users site.

## I. <u>Illumination:</u>

Outdoor lighting shall be shielded downward and be situated so as to be directed away from adjoining properties and streets.

# J. <u>Electromagnetic Radiation:</u>

No use is allowed on the property which would create electrical interference with navigational signals or radio communication between the airport, aircraft or generate any measurable electromagnetic radiation causing interference outside the property lines.

#### K. Power

All power utilized within the confines of the area subject to these restrictions, other than electric power, and any electric power generated within said area, shall be developed only by methods or from materials which produce little or no smoke, odors or fumes.

#### L. Signs:

All signs must meet City of Florence Sign Code requirements. Freestanding signs are restricted to monument signs only.

## M. <u>Underground Materials:</u>

No oil drilling, oil development operations, refining, mining operations of any kind, or quarrying shall be permitted upon or in any of the building sites nor shall oil wells, tunnels, mineral excavations, or shafts be permitted upon or in any of the building sites.

#### N. Sewage Disposal:

All lot owners and lessees shall make adequate provisions to connect to and discharge all sewage and storm water from such lot into the trunk sewer line. No cesspool, septic tank or other similar disposal system or device shall be installed by the user of a lot. Grease, chemicals, or solid wastes may nor be deposited into the sewer system. The discharge of sewage and other related matter onto the ground is prohibited. All sewage disposal shall be in conformance with Florence City Code and all of the regulations of the Lane County Health Department and the Oregon State Environmental Quality Commission, or their successors.

## O. Open Drainage:

The running of storm water or sewage by means of open drainage is strictly prohibited on building sites.

## P. Screening and Fencing:

Conditions dangerous to the public shall be fenced in accordance with the following conditions; and a user otherwise desiring to fence his property may do so subject to the following conditions:

- Fences must be securely constructed, and so designed to visually conceal the screened area from the street or neighboring property view.
- 2. No fences or screens shall be constructed within a setback area adjacent to a street.

# ARTICLE 5 – SITE DEVELOPMENT REQUIREMENTS

## A. Type of Construction:

No building may be constructed which fails to conform to the requirements of the city of Florence. Further, no building may be constructed with exposed metal siding or roofing which has not been coated with enamel or similar metal concealment; and if used, coating must be maintained to present a neat appearance at all times. Any building wall that faces a street shall not be metal clad.

## B. Building Heights:

Except for requirements of governmental agencies having authority over such matters, building heights are to comply with the underlying zoning.

## C. <u>Setbacks:</u>

All buildings shall be set back a minimum of twenty (20) feet from the right of way along Kingwood Street, Pacific View Drive, and Lots 14, 15, and 16 fronting on 27<sup>th</sup> Street. All other street frontages shall have a minimum ten (10) foot setback. No parking facilities may be placed within these set back areas.

Building setbacks from side and rear lot lines shall be a minimum of five (5) feet and shall be landscaped or remain as natural vegetation.

#### D. <u>Buried Utilities</u>:

All utility lines shall be buried underground in accordance with requirements of serving utility company.

## E. Exposed Pipes and Tanks:

No water pipe, gas pipe, sewer pipe or drainage pipe (other than those within structures and those directly related to bulk storage tanks described below) shall be installed or maintained upon any parcel above the surface of the ground, except hose and moveable pipes used for irrigation and similar purposes.

Bulk storage of all liquids, including gasoline, petroleum products, or water on the outside of buildings, will be permitted subject to compliance with rules and regulations of any governmental agency or agencies having jurisdiction over such matters, and provided they are neat, orderly, well maintained and screened from view.

#### F. Off Street Parking:

Off street parking shall be governed by Florence City Code. No parking whatsoever shall be permitted on the street or other public way.

#### G. Vehicle Loading:

All provisions for the loading and maneuvering of vehicles incidental to the operation of the business shall be placed on the user's lot(s); on-street vehicle loading shall not be permitted. Vehicle loading shall be permitted on any side of a building facing a street unless such loading is hidden from street frontage visibility by approved screening.

#### H. <u>Curb Cuts</u>:

For every street fronting on a user's property curb cuts shall be as follows:

- 1. Two (2) cuts will be permitted.
- 2. No curb cuts shall be closer than one hundred (100) feet to a street intersection.
- 3. Curb cuts shall be no less than fifteen (15) feet for one-way driveways, twenty-five (25) feet for two-way driveways, and no wider than forty (40) feet.

## I. Landscaping:

Setback areas except areas of ingress and egress shall be landscaped in well maintained lawn, ground cover, shrubs, trees, or native vegetation so as to provide a park-like character. Planting areas normally requiring irrigation for proper maintenance, and all lawn areas shall be equipped with an operating underground irrigation system. In addition, paving, landscaping, and required irrigation systems shall extend from the

X

property line to the curb or sidewalk, and shall be compatible with other adjacent areas.

Retention of native vegetation is encouraged.

When planted, trees shall have a minimum height of eight (8) feet. Shrubs and plantings when required for screening shall develop full visual density within 5-years from date of planting.

All landscaping, including irrigation systems shall be approved by the City of Florence in accordance with minimum City Code requirements.

#### J. Storage Facilities:

Except as provided in Article 5, Paragraph K, all storage, except autos, shall be within buildings or enclosures which are screened from view from streets and other properties. Landscape screens when used for this purpose, shall be sufficiently dense to completely screen storage facilities. Minimum screen height shall be seven (7) feet above adjacent ground level or curb level, whichever is higher in elevation.

#### K. Equipment Display Yards:

Users whose primary business is sale and/or lease of heavy equipment such as trucks, tractors, graders, logging equipment, etc., may provide street frontage display yards for this equipment provided:

- 1. All display areas are behind setback lines.
- 2. No more than one piece of each major vehicle or equipment type is exhibited at any one time.
- 3. All pieces are displayed and maintained in a neat and orderly manner.
- 4. No signs or other advertising larger than 12 inches square, including price tag signs, are exhibited on such equipment.

## L. Equipment Demonstration Yards:

Unimproved yards may be maintained for this purpose provided:

- 1. All such yards are screened from the street and other property view.
- 2. All other requirements of these covenants are satisfied.

#### M. Wetlands:

Prior to any land disturbance or alteration, each lot will be required to have a wetland inspection and any wetland habitat shall be identified. If potential wetlands are found on any lot, a delineation will be required. Approval of the (Oregon) Division of State Lands and the U.S. Army Corp of Engineers is required prior to disturbance or filling of any wetland.

#### ARTICLE 6 - GENERAL PROVISIONS

## A. Cutting and Filling:

The City of Florence or any authorized agent may at any time make such cuts and fills upon any parcel or other part of said property and to such grading and moving of earth as in its judgement may be necessary to improve or maintain the

streets in or adjacent to any property and to drain surface waters therefrom; provided, however, that after the principal structure upon a parcel shall be completed in accordance with approved plans, the rights of the City of Florence under this paragraph shall terminate with respect to such parcel, except that the city shall thereafter have the right to maintain existing streets and drainage structures.

#### B. Housekeeping:

If accumulations of weeds, rubbish, or unsightly items of equipment or supplies are permitted to remain exposed to public view on a parcel (including that portion from the user's property to the centerline of any street fronting thereon) more than seven (7) days after a request in writing from the city to have them removed, the City or its authorized agent may enter upon any parcel for the purpose of removing same by whatever means it deems necessary. Such entry shall not be deemed a trespass and the City or its authorized agent shall not be subject to any liability thereof. The cost of such work shall be borne by the user.

## C. Maintenance of Landscaping:

If landscaping areas are not maintained in accordance with standards prescribed herein, and the condition is not corrected within seven (7) days after written notice from the City, the City or its authorized agent shall have the right to enter on any of the lot(s) and plant or replant such areas, or provide whatever maintenance is deemed necessary without being deemed guilty of trespass. The cost, as determined by the City, shall be paid by the user.

# D. Damage or Removal of Existing Landscaping:

The user shall repair or replace damaged landscaping as directed by the City and within the discretion of the City.

Removal of existing landscaping by the user is strictly prohibited without written approval of the City of Florence.

## ARTICLE 7 - DURATION AND AMENDMENT

All and each of the above restrictions, conditions and covenants herein and all amendments or additions thereto shall be binding on the parties, owners, lessees, their heirs, successors and assigns for a term of fifty (50) years from the date of recording, after which time they shall be automatically extended for successive terms of twenty-five (25) years, unless terminated as evidenced by a document signed by the owners of at least 75% of the lots located in the (Kingwood Business) Industrial Park and duly acknowledged and recorded in the office of the recorder of conveyance in Lane County, State of Oregon, before the expiration of the original period of duration, and further extensions may be effected in like manner.

Dated as of this 26th day of October, 1998.