

**CITY OF FLORENCE PLANNING COMMISSION**  
**November 13, 2018 \*\* MEETING MINUTES \*\***

---

**CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE**

Chairperson John Murphey called the meeting to order at 5:30 p.m. Roll call: Chairperson John Murphey, Vice Chairperson Sandra Young, Commissioner Michael Titmus, and Commissioner Eric Hauptman were present. Commissioner Brian Jagoe, Commissioner Ron Miller, and Commissioner Phil Tarvin were absent and excused. Also present: Planning Director Wendy FarleyCampbell, Associate Planner Glen Southerland, and Planning Technician Dylan Huber-Heidorn

---

**APPROVAL OF AGENDA**

Vice Chairperson Young motioned to approve the agenda. Commissioner Hauptman seconded. By voice, all ayes. The motion carried.

**APPROVAL OF MINUTES**

There were no minutes proposed for approval.

**PUBLIC COMMENTS**

*This is an opportunity for members of the audience to bring to the Planning Commission's attention any items **NOT** otherwise listed on the agenda. Comments will be limited to **three minutes per person**, with a maximum time of 15 minutes for all items.*

There were no public comments.

**Action Item: PC 18 20 VAR 01 – Ames Setback Variances:** A request from City staff to review and consider staff research and interpretation on dwelling modification.

PD FarleyCampbell discussed a request from the applicant to extend the exercise of this variance, which was approved at a public hearing on July 10, 2018. The variance was originally approved for a dwelling, but the applicant's difficulty acquiring the desired dwelling resulted in changes to his plans. Staff had interpreted these changes as acceptable under the previously-approved variance, and sought the Commission's approval for that decision. (see attachments)

No Commissioner voiced objection to staff's interpretation.

**Action Item: Planning Commissioner Absenteeism Approval:** Consider granting approval of extended absenteeism for Commissioners Miller and Tarvin in accordance with Florence City Code 2-3-5.

PD FarleyCampbell explained that, in the process of rewriting codes related to City boards and commissions, existing code had been interpreted which detailed the process for the Planning Commission to excuse absenteeism for Commissioners who are absent for more than three meetings.

Chairperson Young motioned to approve requests for extended absenteeism by Commissioner Phil Tarvin and Commissioner Ron Miller; Commissioner Hauptman seconded.

There was no discussion.

By roll call vote: Commissioner Hauptman, "Yes;" Commissioner Titmus, "Yes;" Vice Chairperson Young, "Yes;" Chairperson Murphey, "Yes". Motion passed 4-0.

**RESOLUTION PC 18 31 ANN 06 & PC 18 32 ZC 07 – Peterson Annexation & Zone Change:** A request from Gordon Peterson to annex the 0.20-acre property located at 87717 Rhododendron Drive, east of North Jetty Drive, Assessors Map No. 18-12-10-33, Tax Lot 00200. The property is proposed to be zoned Restricted Residential.

Vice Chairperson Young explained that she lives in the vicinity of the property proposed for annexation. No Commissioner declared a conflict of interest or bias. There were no challenges.

Chairperson Murphey opened the public hearing at 5:44 PM.

AP Southerland presented the staff report on the proposal for annexation (see attachments), including the staff recommendation to approve the resolution recommending the annexation and zone change to the Florence City Council.

Commissioner Hauptman inquired about road maintenance jurisdiction on North Jetty Road.

**Applicant – Gordon Peterson**

Mr. Peterson voiced his approval for the community of Florence.

Chairperson Murphey closed the public hearing at 5:52 PM.

There was no deliberation by the Commission.

Commissioner Titmus motioned to approve **RESOLUTIONS PC 18 31 ANN 06 and PC 18 32 ZC 07 – Peterson Annexation & Zone Assignment**; Commissioner Hauptman seconded.

There was no discussion.

By roll call vote: Commissioner Hauptman, “Yes;” Commissioner Titmus, “Yes;” Commissioner Jagoe, “Yes;” Chairperson Murphey, “Yes”. Motion passed 4-0.

**RESOLUTION PC 18 29 VAR 02 – Justice Center Side Yard Setback Variance:** An application from Chief Thomas Turner, on behalf of the City of Florence, for approval for a side yard setback variance from 20’ to retain the parking structure that was installed in 2017 to cover specialized police vehicles but did not meet setback requirements. The site is located at 900 Greenwood Street, Assessor’s Map 18-12-27-42, Tax Lot 07200, in the Professional Office/Institutional District regulated by FCC Title 10 Chapter 25.

No Commissioner declared a conflict of interest or bias. There were no challenges.

Chairperson Murphey opened the public hearing at 5:55 PM.

PD FarleyCampbell presented the staff report on the application for *ex post facto* approval of the carport structure erected in the City of Florence Justice Center parking area, which was not approved or permitted at the time of construction (see attachments). She described the details of the original approval for construction of the Justice Center in 1996, including the designations of building frontage and related setbacks. She described the process behind staff’s finding that the current location and orientation of the structure was to the benefit of public health and safety, and she delivered the staff recommendation for approval of the application with the conditions of approval as written in the staff findings.

Vice Chairperson Young asked why the structure had not been placed on the opposite side of the parking lot, which would meet setback requirements. AP Southerland responded with details of site conditions that led to the current placement.

**Applicant – Florence Police Chief Thomas Turner**

Chief Turner described that the structure is intended to house specialized, multi-terrain Humvees, which are an important asset for the Police Department. Those vehicles are not designed to resist the elements long-term, and require structural protection, specialized charging locations, and ample maneuvering space to exit the parking lot.

Vice Chairperson Young inquired about vegetation, including a tree which would replace one which was removed without modification to the property’s landscape plan.

Chairperson Murphey closed the public hearing at 6:20 PM.

PD FarleyCampbell discussed other vegetation options, screening, and processes for modifying landscape plans.

Vice Chairperson Young motioned to approve **RESOLUTIONS PC 18 29 VAR 02 – Justice Center Side Yard Setback Variance**; Commissioner Titmus seconded.

There was no discussion.

By roll call vote: Commissioner Hauptman, "Yes;" Commissioner Titmus, "Yes;" Vice Chairperson Young, "Yes;" Chairperson Murphey, "Yes". Motion passed 4-0.

#### **PLANNING DIRECTOR'S REPORT/CALENDAR**

November 27, 2018 – Planning Commission Meeting at Florence Event Center

December 11, 2018 – Planning Commission Meeting at Florence Senior Center

December 18, 2018 – Planning Commission Meeting at Florence Event Center (*tentative*)

#### **PLANNING COMMISSION DISCUSSION ITEMS**

There was no discussion of other topics.

Chairperson Murphey adjourned the meeting at 6:29 PM.

\_\_\_\_\_  
Chairperson, John Murphey  
**Florence Planning Commission**

\_\_\_\_\_  
Date

---

# Florence Planning Commission

---

## Memorandum

To: Florence Planning Commission (PC)

From: Wendy Farley Campbell

Date: November 9, 2018

Subject: PC 18 20 VAR 01--Ames Variance Request Clarification

**Background:** On July 10, 2018 Planning Commission held a public hearing on PC 18 20 VAR 01--Ames Variance Request. Larry Ames, the applicant, requested reduced front and rear yard setbacks within Coast Village to place a dwelling on the property currently developed with a garage. The Planning Commission approved the application. There was one written testimony in favor and one opposed.

**Situation:** Since receiving the variance approval Mr. Ames has had difficulty with the construction requests of the lender. He has adjusted his plans and proposes to place a flat roofed park model with a ramada (cover) rather than a manufactured home. He requests the same variance on the front yard but would no longer need the rear yard variance. The variance approval was made by PC. Staff has researched code and provided some proposed interpretation. A PC concurrence and interpretation are needed to determine if the approved variance applies to this modified structure type.

**Interpretation:**

Dwelling--The PC approval granted setback variances for a "dwelling". Florence City Code (FCC) Title 10 Chapter 29 Coast Village District lists both manufactured homes and park models in both permanent and temporary conditions in definitions for "dwellings". It is staff's interpretation that regardless of the type of dwelling the variance would be applicable.

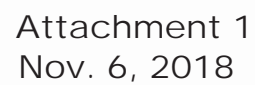
Ramada—FCC 10-12 Mobile Home/Manufactured Home Regulations defines "ramada" as "A stationary structure having a roof extending over a mobile home/manufactured home or trailer, which may also extend over a patio or parking space for motor vehicles, and is used principally for protection from sun and rain." FCC 10-12 also defines "accessory" as: "Any structural addition to a mobile home /manufactured home, including awnings, carports, cabanas, porches, ramadas and similar structures."

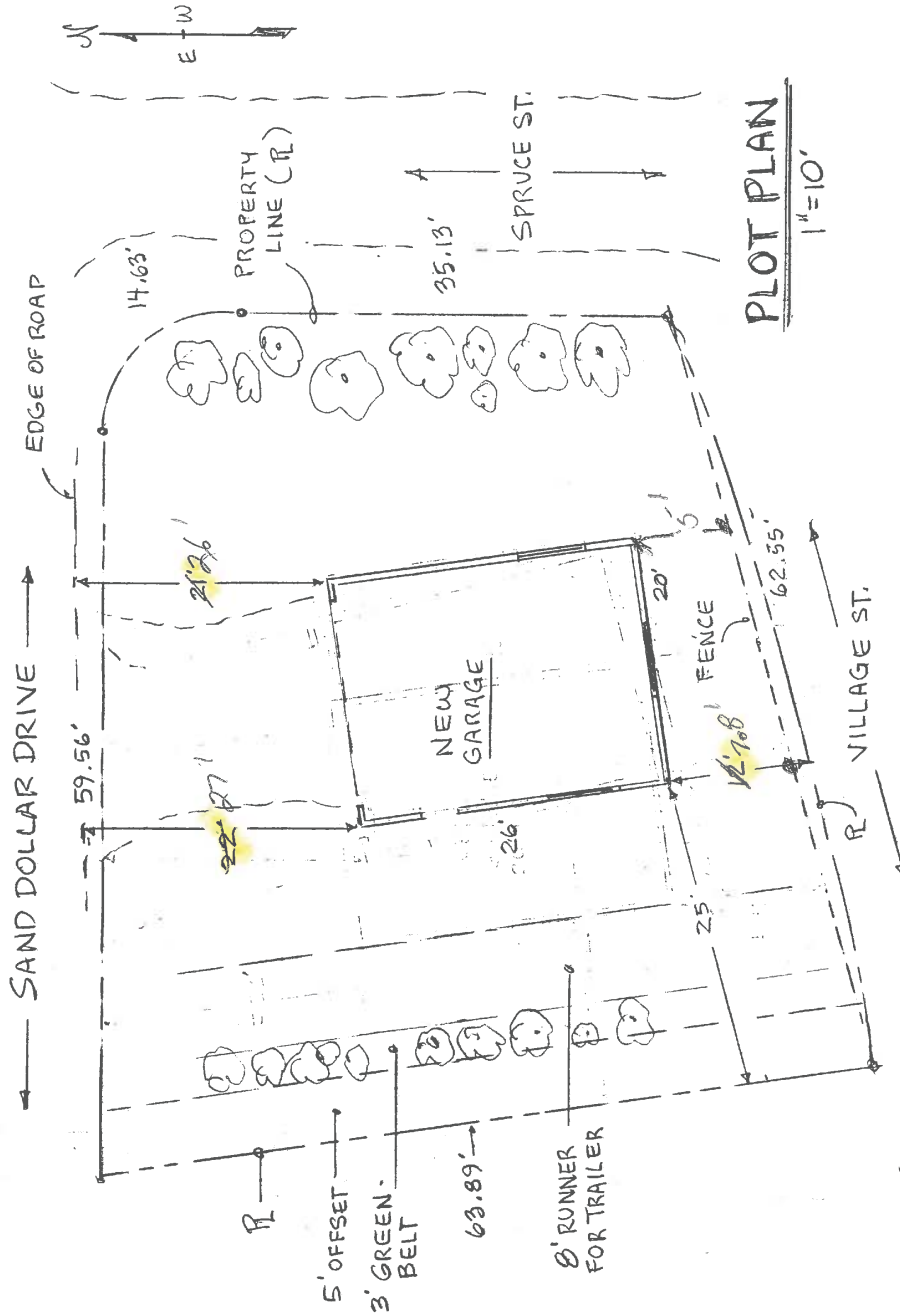
**Request:** Planning Commission interpretations are requested as follows: 1. Do you concur with staff's interpretation that the variance for a dwelling includes park models within Coast Village as defined in FCC? 2. Does a ramada for the park model constitute a normal and customary addition to the dwelling and should it be included in the setback variance approval? A decision of "yes" requires no further action of the Mr. Ames or the City. A decision of "no" requires the applicant to apply for a variance for the park model and/or ramada to cover his park model.

**Items Attached:** Ames revised and original site plans

---

Ames 26 Sard Dollar





**PLOT PLAN**  
1" = 10'

MAP 18-12-23 - LOT 1911

NOTE: ORIENTATION OF  
PLANS ARE REVERSED -  
SO PLANS ARE VIEWED  
FROM SAND DOLLAR DR.  
LOOKING SOUTH.

**CRAIG DRAFTING  
AND DESIGN**  
(541) 997-6926

REVISED 7-23-14  
7-25-14



# Peterson Annexation and Zoning Assignment

PC 18 31 ANN 06 & PC 18 32 ZC 07



•

•

## Introduction

- **Sept. 25, 2018** – Petition/Application received
- **Oct. 24, 2018** – Application deemed complete
- **Nov. 13, 2018** – First evidentiary hearing (PC)
- **Dec. 10, 2018** – Scheduled hearing (CC)

• Peterson Annexation and Zone Assignment

11/13/18 •2

## Applicable Criteria

### Annexation

#### **Oregon Revised Statutes (ORS)**

222.111; 222.120; 222.125; and 222.170 (2)

#### **Florence Realization 2020 Comp Plan**

Chapter 14: Urbanization, Policies 3 through 6; Recommendation 3

• Peterson Annexation and Zone Assignment

11/13/18 •3

## Applicable Criteria (con't.)

### Zone Assignment

#### **Florence Realization 2020 Comprehensive Plan**

Chapter 2: Land Use, Policy 5; Residential Policies 7, 8 & 10; and Section on Residential Plan Designations

#### **Florence City Code (FCC)**

Title 10, Chapter 1: Zoning Regulations, Sections 10-1-1-6-4, 10-1-2-3, and 10-1-3

Title 11, Chapter 10: Restricted Residential District, Sections 2, 4, and 5

• Peterson Annexation and Zone Assignment

11/13/18 •4

PC 18 31 ANN 06

• Peterson Annexation and Zone Assignment

11/13/18 •5

## Area Proposed for Annexation



• Peterson Annexation and Zone Assignment

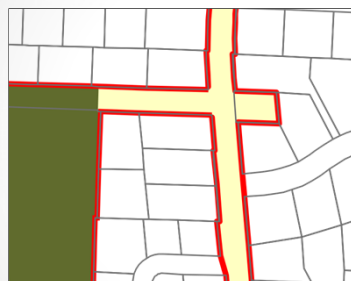
11/13/18 •6

## PC 18 32 ZC 07

• Peterson Annexation and Zone Assignment

11/13/18 • 7

## Current/Proposed Zoning



Restricted  
Residential

• Peterson Annexation and Zone Assignment

11/13/18 • 8

## Utilities and Access

- Single Family Residence on property
- Addition of sewer, other City services
- Water provided by Heceta Water PUD

• Peterson Annexation and Zone Assignment

11/13/18 • 9

## Testimony/Referrals

### Testimony:

- None Received

### Referral Comments (Exhibit C):

- Lane County Transportation Planning

• Peterson Annexation and Zone Assignment

11/13/18 • 10

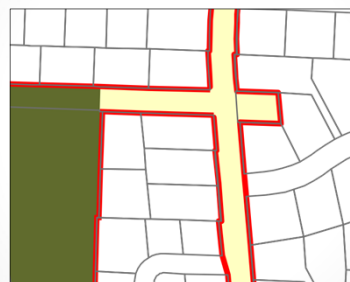
## Staff Recommendation

Approve Resolutions PC 18 31 ANN 06 and PC 18 32 ZC 07 recommending approval to the Florence City Council for the annexation and zoning of the petitioner's property to the City of Florence and the corresponding Restricted Residential District.

• Peterson Annexation and Zone Assignment

11/13/18 • 11

## Questions?



• Peterson Annexation and Zone Assignment

11/13/18 • 12



# Justice Center Setback Variance

**PC 18 29 VAR 02**



## Criteria

### Florence City Code, Title 10, Chapter:

- 1: Zoning Administration, Section 1-6-3
- 8: Nonconforming Lots and Uses, Section 2
- 5: Zoning Variances, Sections 1 through 5
- 25: Professional Office/Institutional, Section 4D

Justice Center Parking Structure Setback Variance - PC 18 29 VAR 02

11/13/2018 #2

## Introduction

- **Spring 2017** – Structure constructed
- **July 2017** – Type II land use approval issued for structure...with condition to move
- **September 5, 2018** – Variance application submitted and deemed complete
- **October 24, 2018** – Public Notice Mailed

Justice Center Parking Structure Setback Variance - PC 18 29 VAR 02

11/13/2018 #3

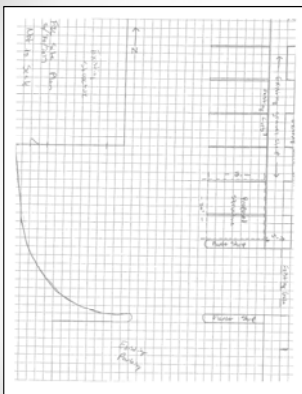
## Aerial of Site



Justice Center Parking Structure Setback Variance - PC 18 29 VAR 02

11/13/2018 #4

## 2017 Site Plan



Justice Center Parking Structure Setback Variance - PC 18 29 VAR 02

11/13/2018 #5

## Structure Photo



Justice Center Parking Structure Setback Variance - PC 18 29 VAR 02

11/13/2018 #6

## Site Photo-Hemlock St.



Justice Center Parking Structure Setback Variance – PC 18  
29 VAR 02

11/13/2018 ●7

## Variance Criteria

- A. Strict or literal interpretation & enforcement results in practical difficulty or unnecessary physical hardship
- B. Exceptional or extraordinary circumstances or conditions applicable which do not apply generally to other properties classified in the same zoning district, or
- C. Granting the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district, and
- D. Granting the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

Justice Center Parking Structure Setback Variance – PC 18 29 VAR 02

11/13/2018 ●8

## Variance Criteria

### Basis:

- Temporary Structure—electrical extension, general parking lot only other option-usage impractical
- Site developed in 1996 under Multi-Family Code-5' setbacks. 1999 changed to Professional Office
- Policing agency requesting protection of public resources within secure vehicle staging area.
- Ability for quick deployment and protecting public resources improves public safety and welfare.

Justice Center Parking Structure Setback Variance – PC 18  
29 VAR 02

11/13/2018 ●9



Justice Center Parking Structure Setback Variance – PC 18 29 VAR 02

11/13/2018 ●10

## Comments/Testimony

- None

Justice Center Parking Structure Setback Variance – PC 18  
29 VAR 02

11/13/2018 ●11

## Conditions of Approval

2. Signed "Agreement of Acceptance" of all conditions of approval prior to issuance of a building permit and apply for all building permits necessary for this proposal.
3. The authorization for a variance shall be void after November 13, 2019 unless a building permit has been issued. Once the building becomes unserviceable and requires demolition it shall not be replaced without reapplication.

Justice Center Parking Structure Setback Variance – PC 18  
29 VAR 02

11/13/2018 ●12

## Alternatives

1. Approve the application;
2. Modify the findings, reasons, or conditions and approve the proposal;
3. Deny the application, or
4. Continue the Public Hearing to a date certain if more information is needed.

• Justice Center Parking Structure Setback Variance - PC 18 29 VAR 02

11/13/2018 • 13

## Staff Recommendation

Staff finds that the proposed application meets the requirements of City Code with the conditions, and recommends approval of the application.

• Justice Center Parking Structure Setback Variance - PC 18 29 VAR 02

11/13/2018 • 14

## Questions?



• Justice Center Parking Structure Setback Variance - PC 18 29 VAR 02

11/13/2018 • 15