
**City of Florence
Planning Commission Meeting
250 Hwy 101, Florence, OR 97439
March 24, 2020**

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 5:30 PM.

Commissioners Present (via teleconference): Chairperson John Murphey, Vice Chairperson Phil Tarvin, Commissioner Sandra Young, Commissioner Eric Hauptman, Commissioner Brian Jagoe, Commissioner Ron Miller, Commissioner Andrew Miller

Staff Present: Planning Director Wendy FarleyCampbell and Assistant Planner Dylan Huber-Heidorn

City Recorder Kelli Weese began the meeting with a statement that public comment on items not on the agenda would not be included as a part of standard meeting procedures. Written comments submitted to the Commission would be distributed as required.

1. TEMPORARY COVID-19 PUBLIC MEETING PROCEDURES

Review and consider adopting temporary COVID-19 Public Meeting Procedures.

Start Time: 5:32 PM
Action: Approve changes to meeting procedures
Motion: Commissioner Ron Miller
Second: Commissioner Jagoe
Vote: Unanimous

**2. PUBLIC HEARING – 4781 TREWOOD CT. ANNEXATION AND ZONE ASSIGNMENT
RESOLUTION PC 19 27 ANN 01
RESOLUTION PC 19 28 ZC 01**

A request from Andy Johnson, on behalf of Kristy L. Nye, to annex a .29-acre property and apply City of Florence Medium Density Residential zoning. The property is located on the northwest corner of the intersection of Rhododendron Drive and Treewood Ct.

Open: 5:37 PM
Closed: 5:54 PM
Applicant: Andy Johnson
Discussion: As follows

Commissioner Jagoe mentioned that he works with Andy Johnson, but stated it did not represent a conflict. No other Commissioner declared a conflict of interest, ex parte contact, or bias. There were no challenges.

AP Huber-Heidorn delivered a staff presentation on the proposed annexation and zone assignment (see attached).

Applicant Testimony: Mr. Johnson was unable to participate owing to difficulties accessing the teleconference.

Neutral Party/Opponent: Ronald McCrary

Mr. McCrary stated he had attended the meeting to learn more about whether sewer service would be extended to the property proposed for annexation. He owns a property on Treewood Drive, near the subject property. He also expressed his desire for sewer service to be extended to other nearby properties for a reasonable price.

Chairperson Murphey and staff stated they would contact Mr. McCrary with information about sewer infrastructure expansion in the Treewood area.

Commission Discussion: There was no deliberation.

Action: Approval of the application as presented by staff with conditions of approval
Motion: Commissioner Brian Jagoe
Second: Commissioner Hauptman
Vote: Unanimous

3. ORDINANCE NO. 2 SERIES 2020: PC 20 02 CPA 01 / PC 20 03 TA 01

An amendment to Florence City Code, Title 10 Chapter 2 and Florence Realization 2020 Comprehensive Plan: Table of Contents, Introduction, Chapter 7, and Appendix 7a to **adopt revised Federal Emergency Management Agency Flood Insurance Rate Map and Flood Insurance Study (FIS)** and a housekeeping amendment to the Comprehensive Plan Table of Contents to reflect updated plans and maps previously adopted or acknowledged.

Open: 5:59 PM
Closed 6:22 PM
Discussion: As follows

No Commissioner declared a conflict of interest, ex parte contact, or bias. There were no challenges.

PD FarleyCampbell delivered a staff presentation on the proposed comprehensive plan amendment and zoning code textual changes (see attached).

Commission Discussion: There was no deliberation.

Action: Approval of Resolutions as proposed
Motion: Commissioner Brian Jagoe
Second: Commissioner Young
Vote: Unanimous

4. PLANNING DIRECTOR REPORT & DISCUSSION ITEMS

Start Time: 6:22 PM

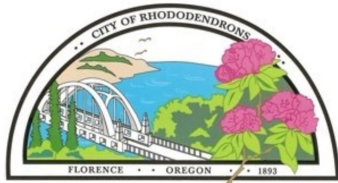
Discussion: CR Kelli Weese described the emergency declaration passed by the Florence City Council on 3/23/2020 (Resolution No. 6, Series 2020) in response to the COVID-19 pandemic and Governor Brown's executive orders.
PD FarleyCampbell discussed research conducted by staff to determine what actions taken at the state level, if any, would impact deadlines and other procedures for processing land use applications. She also discussed changes to city operations, including the logistics of staff working from home, continuing to hold public meetings, and upcoming applications.

Meeting adjourned at 6:30 PM.

ATTEST:

John Murphey, Chairperson

Dylan Huber-Heidorn, Assistant Planner



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City of Florence

Temporary COVID-19 Public Meeting Procedures

Given executive orders from Governor Brown concerning COVID-19 and social spacing requirements, the City of Florence has established temporary updated procedures for public meetings in order to protect our volunteers, public and staff.

The new updated public meeting procedures, as outlined below, shall become effective when approved by the public body, and shall remain in effect until action to discontinue use is completed by each public body. Where applicable, these procedures shall supersede any prior meeting procedures including the City Council Rules of Procedure, the Committee and Commission Policy Manual, and the Florence Urban Renewal Agency Bylaws.

COVID-19 Public Meeting Procedures

1. Meetings to be Held: When possible, only city meetings that are deemed mandatory based on timelines established in state law, the City of Florence charter, or City of Florence ordinance shall be held. All other meetings or agenda items shall be postponed.

Mandatory Meeting Requirements: In order to comply with social spacing recommendations, the public will be encouraged to not attend public meetings in person, and in particular to stay home if they are sick or showing symptoms. In order to continue to provide an opportunity for public viewing / participation, all public meetings required to be held shall conform to the following updated requirements.

2. Live Streaming: All mandatory City meetings shall be streamed live on Cable Channel 191 and online through a link available on the City's website. For access to this link, visit the meetings website through the City of Florence website calendar located online at www.ci.florence.or.us/calendar.
3. Public Observation: Although **it is strongly encouraged that people not attend the meeting in person**, the opportunity will exist to observe the meeting at a designated location. However, to protect safety and ensure social spacing, limits to audience members will be implemented. Please note, that in person meeting attendance will be subject to applicable regulations in place at the time of the meeting and are subject to change.
4. Meeting Materials: All meeting materials shall be provided to the public in advance of the meeting via the following schedule:
 - a. The agenda and majority of meeting materials, including presentation materials, shall be distributed to members of the public body and the public at least 3 days in advance of the meeting date through the City's email distribution lists. To subscribe to the email distribution list, visit the City's website at www.ci.florence.or.us/newsletter/subscriptions. Printed copies of materials may also be requested in advance of the meeting, subject to the City's Public Records Request policies.

- b. Any additional materials received after the initial meeting materials are distributed, including any written public comments received, shall be distributed to members of the public body one hour prior to the meeting's start time, and shall be posted on the meeting website.
 - c. Any additional materials to be distributed after this time shall be verbally identified, placed into the record, and distributed to the public body at the meeting as technology and circumstances allow.
5. Public Body Participation: All members of the public body shall participate in the meeting through live streaming and conference call or other teleconference tools, unless they can show reason why they cannot meaningfully participate in this manner. Members of the public body that do not wish to participate in the meeting through virtual means shall request the ability to participate in the meeting in person in consultation with the public body's presiding officer and the City Recorder's Office. To ensure the meeting is understandable, during the meeting, all speakers shall identify themselves prior to speaking, and shall do so prior to making or seconding motions. In addition, all votes shall occur via roll call vote.
6. Meeting Management: Meeting management tasks including identifying speakers, clarifying decisions, and managing conference call / video conferencing lines shall be delegated to the City Recorder's Office or other applicable staff.
7. Agenda Updates & Public Participation:
- a. General Agenda Notes: All agendas shall be updated to delineate the new public meeting procedures in this policy and shall note that members of the public shall not attend meetings if they are sick or presenting symptoms.
 - b. Presentations, Proclamations & Ceremonial Items: The public meeting shall not include any presentations, proclamations, or ceremonial items. Such items shall be canceled, postponed, or presented in a manner separate from the public meeting.
 - c. Public Comment on Items not on the Agenda: Meetings shall not allow for general public comments. All parties interested in providing general public comments will have the opportunity to do so in written form, outside of a meeting, in the manner dictated for each individual public body.
 - d. Public Hearing Items: Public Hearings shall only be held if required by state law, the City of Florence Charter, or City of Florence Code. Should a public hearing be required, the following methods for public comment shall be adhered to:
 - i. Written Testimony: It is **strongly encouraged that interested parties and provide testimony in writing** prior to the meeting and abstain from attending the meeting in person. Written testimony submitted at least two hours prior to the meeting start time will be provided to the public body in advance of the meeting. Testimony can be provided in the manner dictated for each individual public body.
 - ii. Conference Call: Should it be necessary to provide verbal testimony; it is recommended that interested parties participate via an established city conference call line. Parties interested in participating in this manner shall contact the City Recorder's Office or other applicable staff at least two hours prior to the meeting start time with their name, address, and phone number they will be calling from.

- iii. Participate in Person: Although it is **strongly encouraged that people not attend the meeting in person**, the opportunity will still exist to participate in the meeting at a designated meeting location. The method of this participation may include in person public testimony, access to a phone to call into meeting conference call line, or other available public testimony method as allowed by Oregon State Public Meetings law. Please note, that in person meeting attendance will be subject to applicable regulations in place at the time of the meeting and are subject to change.
- e. Action Items:
 - i. Consent Agenda: In order to expedite business, mandatory public meetings shall establish a consent agenda for action items that can be approved by a single motion and vote. Wherever possible and appropriate, as determined by the presiding officer, action items shall be moved to the consent agenda. Any item on the consent agenda may be removed for separate consideration by any member of the public body.
 - ii. Public Comments on Action Items: Public bodies shall not provide for verbal public comments for action items. All parties interested in providing public comments on action items may do so in written form. Written comments submitted at least two hours prior to the meeting start time will be provided to the public body in advance of the meeting. Comments can be provided in the manner dictated for each individual public body.
- f. Report Items: Report items may be included in the meeting materials for informational purposes, but shall not incur a presentation. However, the public body may ask questions on report items included in materials as appropriate.

For questions on this policy, specific requirements for each public body, how to observe or participate in a public meeting, how to submit public comments, or other questions, please contact the City Recorder's Office at 541-997-3437, or via email to kelli.weese@ci.florence.or.us.

4781 Treewood Ct. Annexation and Zone Assignment

PC 19 27 ANN 01
PC 19 28 ZC 01



Introduction

- Andy Johnson, on behalf of Kristy L. (Anderson) Nye, submitted a petition for annexation on December 19, 2019
- The property was sold in January 2020 to Cathy Larsen Lacy
- A revised petition for annexation was received, reflecting Ms. Lacy as the sole owner and elector of the property

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Introduction

- The former and current owners wish to access city sewer services and avoid issues stemming from a failing septic system
- Pressure sewer infrastructure is available in Rhododendron Drive, which would be extended down Treewood Court

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Vicinity Map

South Harbor
Vista Dr.

Proposed
Annexation

Treewood Ct.



Rhododendron Dr.

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Annexation Criteria

Oregon Revised Statutes:

ORS 222.111, 222.120, 222.125, and 222.170(2)

Florence Realization 2020 Comprehensive Plan:

- Chapter 14: Urbanization, Policies 1 and 3 through 7

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Zone Assignment Criteria

Florence City Code Title 10:

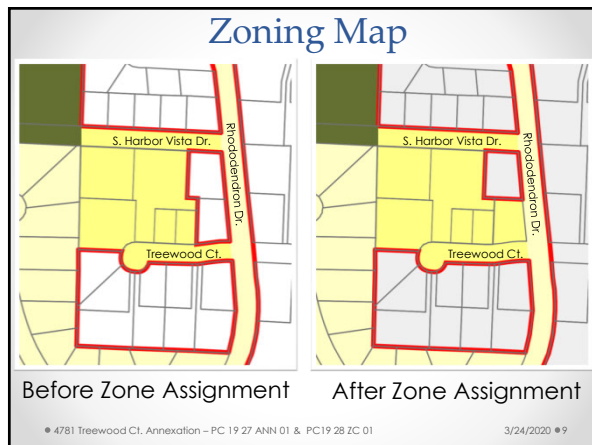
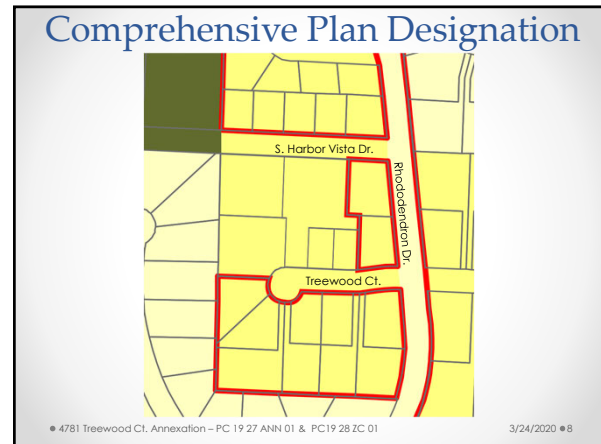
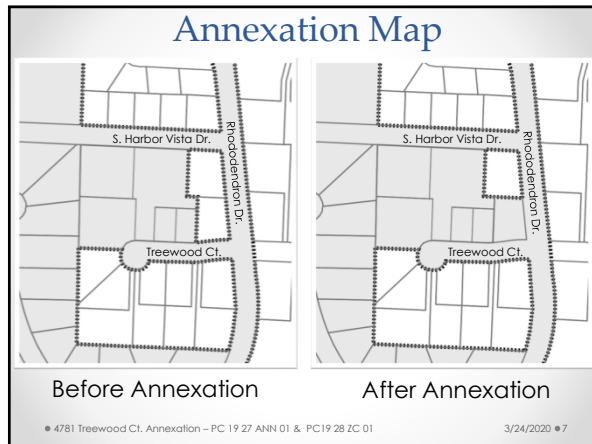
- Chapter 1: Zoning Regulations, Sections 10-1-1-6-4, 10-1-2-3, and 10-1-3
- Chapter 10: Residential Districts, Section 1

Florence Realization 2020 Comprehensive Plan:

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

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Referral Comments

- Public Works Dept.:
 - .55 Mg/d excess sewer capacity
- Lane County:
 - No comment
- CenturyLink:
 - No issues

● 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01 3/24/2020 ●

Utilities & Access

- Water: Remain on Heceta Water
- Sewer: Connecting to existing pressure sewer in Rhododendron Dr.
- Access: Existing street system

● 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01 3/24/2020 ● 11

Consents

- Both Double and Triple Majority methods are met (100% of owners and 100% of electors consent to annexation)

● 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01 3/24/2020 ● 12

Conditions of Approval

1. Requires a metes and bounds property description

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Conditions of Approval (amended)

1. Prior to April 1, 2020, the applicant shall provide a legal property description and map conforming to the requirements of ORS 308.225. If additional costs are incurred in the preparation of materials as a result of the inadequacy of materials supplied by the applicant for meeting the requirements of ORS 308.225, those costs shall be borne by the applicant.

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Findings of Fact (amended)

Section II:

Remove: "The applicant has not provided a metes and bounds description of the property. Per ORS 308.225, this information is required for the purposes of annexing territory into the City of Florence."

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Findings of Fact (amended)

Section II:

Substitute: "The Oregon Department of Revenue has specific requirements for legal property descriptions and other materials submitted for boundary changes. If the legal description provided by the applicant proves insufficient, the city is not responsible for the costs of preparing new documents."

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Alternatives

1. Recommend approval the annexation and zone assignment as presented or with modifications;
2. Recommend denial of the annexation based on the Commission's findings;
3. Recommend approval of the annexation but recommend a different zoning district; or
4. Continue the Public Hearing to a date certain if more information is needed.

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Staff Recommendation

Staff finds that the proposed application can meet the requirements of City Code with conditions of approval as presented, including modifications as discussed.

Staff recommends approving a recommendation to the City Council supporting annexation and a zoning assignment of Medium Density Residential.

• 4781 Treewood Ct. Annexation – PC 19 27 ANN 01 & PC19 28 ZC 01

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Questions?

• 4781 Treewood Ct. Annexation - PC 19 27 ANN 01 & PC19 28 2C 01

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• Flood Damage Prevention: Evidentiary Hearing Resolutions PC 20 02 CPA 01/PC 20 03 TA 01 3/24/20



Introduction

- **Sept. 2018 – Dec. 5th** – FEMA process: noticing, workshop, appeal period, Final Determination
- **February 11th** – PC Initiated
- **February 18th** – DLCD Notice
 - Form 1 Notice submitted
- **March 4th** – Property Owner Noticing
- **March 24th** – PC Evidentiary Hearing
- **April 20th** – Council Final Public Hearing
- **June 5th** – Maps and FIS become effective

Flood Damage Prevention Comp Plan & Code Changes

3/24/20

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Applicable Criteria

Florence City Code, Title 10:

- Chapter 1: Zoning Administration, Section 10-1-6-4 Type IV Procedure (Legislative)

Flood Damage Prevention Comp Plan & Code Changes

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Summary of Changes

Resolution PC 20 02 CPA 01/PC 20 03 TA 01 Exhibit B--Comprehensive Plan:

- Table of Contents (Flood and Housekeeping)
- Introduction--Definitions
- Chapter 7, Policy 2 and Flooding Narrative
- Appendix 7A
 - Flood Insurance Study
 - Flood Insurance Rate Map

Flood Damage Prevention Comp Plan & Code Changes

3/24/20

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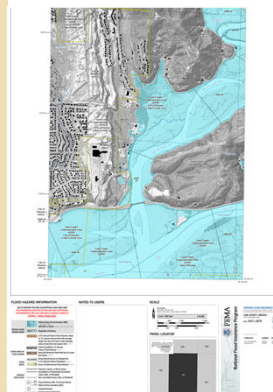
1999 FIRM Sample



Flood Damage Prevention Comp Plan & Code Changes

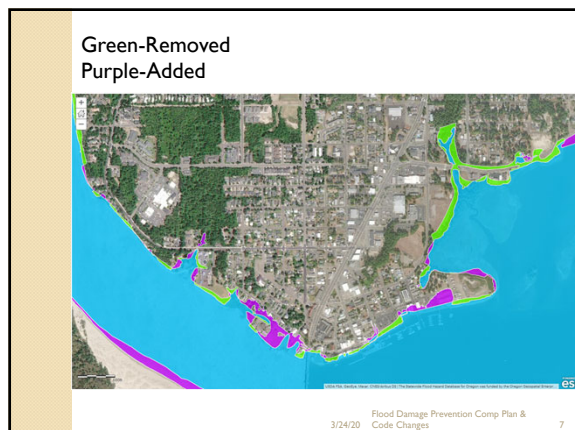
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June 5, 2020 FIRM Sample



Flood Damage Prevention Comp Plan & Code Changes

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Summary of Prominent Changes

- Map addition:
 - Properties north of Bay St. between Juniper St. and the Siuslaw Bridge
 - Properties north of Bay St. between Maple and Nopal
 - A property on Harbor and the Port buildings south of 1st St,
 - Properties south of 1st St. between Hemlock and Juniper Sts.

Flood Damage Prevention Comp Plan &
3/24/20 Code Changes 8

Summary of Prominent Changes

- Map removal:
 - More than 36 Munsel Lake Road properties
 - Properties south and north of Hwy 126
 - Structures in Marine Manor
 - Structure at Driftwood Shores

Flood Damage Prevention Comp Plan &
3/24/20 Code Changes 9

Summary of Prominent Changes

- Zone Changes: A to AE and D to VE
- Map Projection Change: From National Geodetic Vertical Datum of 1929 to North American Vertical Datum of 1988 (changing the Base Flood Elevation numeric value from 10' to 14')

Flood Damage Prevention Comp Plan &
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Summary of Changes

Resolution PC 20 02 CPA 01/PC 20 03 TA 01
Exhibit C—Florence City Code
Title 10-Chapter:

- Chapter 2—Definition for Floodway

FLOODWAY

The normal stream channel and that adjoining areas of the natural floodplain needed to convey the waters of a regional flood while causing less than one foot increase in upstream flood elevations. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

Flood Damage Prevention Comp Plan & Code Changes

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Testimony

Public Testimony

- None

Housing Code, Map and Comp Plan Changes

11/18/19

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Staff Recommendation

Approve Resolution PC 20 02 CPA 01/PC 20 03 TA 01 Recommending Council Approve Amendments to the Florence Comprehensive Plan Realization 2020 and the Florence City Code Title 10 Chapter 2 to support updates to FEMA's 2020 Flood Insurance Study and Flood Insurance Rate Map

Flood Damage Prevention Comp Plan & Code Changes 3/24/20

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Planning Commission Decision

1. **Approve Resolution PC 20 02 CPA 01/PC 20 03 TA recommending approval to the comprehensive plan and code updates related to flood damage prevention.**
2. Approve Resolution to not recommend approval of the comprehensive plan and code updates related to flood damage prevention
3. Direct staff to modify the proposal or perform some other action and postpone recommendation until a later meeting.

Flood Damage Prevention Comp Plan & Code Changes 3/24/20

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Resources

<https://www.ci.florence.or.us/planning/fema-coastal-floodplain-map-update>

Flood Damage Prevention Comp Plan & Code Changes 3/24/20

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Questions?

Flood Damage Prevention Comp Plan & Code Changes 3/24/20

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