
**City of Florence
Planning Commission Meeting
250 Hwy 101, Florence, OR 97439
March 23, 2021**

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Chairperson Phil Tarvin called the meeting to order at 5:30 PM.

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

Staff Present: (via videoconference) Planning Director Wendy FarleyCampbell, Public Works Director Mike Miller, Senior Planner Roxanne Johnston, and AIC FEC Manager Aleia Bailey

At 5:30 PM, Chair Tarvin opened the meeting and Aleia Bailey did a Roll call. All members were present, and Vice Chair Comm. Young led the salute to the Flag.

1. APPROVAL OF THE AGENDA

Start Time: 5:32PM

Action: Approved

Motion: Comm. Murphey

Second: Comm. Jagoe

Vote: 7-0

There was no discussion on the agenda and it was approved unanimously.

2. APPROVAL OF THE MINUTES OF MARCH 9, 2021

Start Time: 5:34

Action: Approved, with no changes proposed

Motion: Vice Chair Young

Second: Comm. R. Miller

Vote: 7-0

3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

No Speaker's cards were received nor public comments made. Chairperson Tarvin asked if any member wished to disclose a conflict of interest. Vice Chair Young commented that she was in the notice area and had made a site visit to the area. Aside from this, no conflict of interest, other ex-parte contacts nor biases were declared by any of the Commissioners.

4. PC 21 01 CUP 01 - HARBOR VISTA CAMPGROUND CABINS: A conditional use permit application submitted by Michelle Hunt on behalf of Lane County to construct three 16'x12' cabins with attached 6'x16' decks,

one 4' concrete ramp to allow for ADA accessibility, paved pathways, and installation of 5 additional parking spaces at the Harbor Vista Campground located by tax assessor's Map 18120900, Lot 0300 at 87658 Harbor Vista Road, west of Rhododendron Drive, and south of N. Jetty Rd.

Chair Tarvin opened the hearing and called upon Wendy FarleyCampbell to deliver the staff report for this agenda item. FarleyCampbell provided general background information which including annexation into the city limits and that the campground now had sewer service. Being the sole campground in the city, she explained interpretation challenges with the proposal, such the requirement to meet architectural guidelines for a camping cabin, campground trails and a street acting as a parking lot access aisle. FarleyCampbell explained that she had proposed as a condition to address this, and discussed the nature of a campground where there is a need to back vehicles up into the drives which otherwise not be allowed elsewhere, particularly in commercial zoning districts. Allowing this to occur under the codes would be an expansion of a pre-existing nonconforming use. Another example would be the varying widths of the driveways that do not otherwise meet code requirements. She provided a slide presentation and read through the applicable definitions as they related to the use. She explained that parks fall under the requirement to have a conditional use permit as does an expansion of nonconforming uses. The property, she explained, was in the floodplain and contained steep slopes. She corrected the referenced Chapter of the Comp Plan to Chapter 17 instead of Chapter 19. FarleyCampbell explained the application process timeline and provided general site information including where the proposed vegetation removal area would take place, and where the pathway, landscaping area, parking area, and cabins with decks were to be located in comparison to existing services, such as RV slips and the bluff area. FarleyCampbell provided a utility plan and explained that the cabins were not proposed to need to access sewer services. She shared the Testimony provided by the SVFR Fire Marshal, Tony Miller, who expressed concerns related to adequate fire suppression and life safety regarding the distance to the cabins from the road. She also explained that some public testimony by Michael Allen had been received which expressed a concern for vegetation retention near the bluff adjacent to the cabins and vegetation clearing next to the parking area. He recommended that plantings needed to be replaced that were outside of the scope of the project. FarleyCampbell relayed the general conditions in the resolution proposal. Parking, for example, could be brought up to code including the ADA parking space. Lighting throughout the site would need to be compliant with dark skies. The parking area currently sits in a lower spot than the new parking area which brings challenges with stormwater design into play. ADA compliance would need to be met for the pathway and the proposed 4' wide path may not be sufficient for a paramedic access., for example. The demarcation of the cabins and areas that are not to be cleared are to be flagged. A Site Investigation report would need to be completed by an engineer and vegetation on a bank retained. She explained that the setback from the top of the bank would be 50', and that this would be measured by the mean high tide and not the top of the bank. She discussed how the applicant was providing a voluntary setback from top of bank. She then relayed the path for approval, modification, and non-approval.

Comm. A. Miller asked if design review approval would be required for the cabins. FarleyCampbell said that architecturally, no, but that they would need to meet color requirements. Comm. Jagoe was concerned with Cabin number 2, where the cabin is shown with no drainage to the swale and was concerned with erosion to the bank. He asked if a drain could be required from the deck to a soakage swale. FarleyCampbell said that a ribbon drain might be used, but that the applicants were not proposing to direct drainage to the swale, such as the one used at Dutch Brothers. FarleyCampbell explained that an engineer would be best to discuss the stormwater design.

Vice Chair Young asked the bank setbacks. She noted that stakes were installed at the site, but did not know what they referenced. She explained these stakes were 17 ft from the top of the bank and questioned

whether the applicants are locating the cabins and decks within the 50 feet of the bank as they stated. Comm. Murphey said he heard FarleyCambell say that the 50' measurement from the top of the bank was not the requirement, however, Comm. Young said that their plans showed 50' and she was not seeing evidence to that effect and hoped that they could clarify it. Condition 12 was a topic related to this discussion

Michelle Hunt, representing Lane County (the applicant), and Aaron Valley engineer with Civil West Engineering (for the applicant) were available for questions. Comm. Jagoe restated his earlier question about his concern about the drainage within the 50' of the bank and wanted assurance from an engineer that the removal of trees and application of cement would not cause erosion. Valley explained that an in-house crew had shot the measurements and did the topographic survey. He further explained that everything would be graded to convey drainage to the soakage swale. He explained there was no ponding around the sandy site. He further contended that the existing soakage trench accepted stormwater under existing condition. Comm. Jagoe explained how Shelter Cove had to riprap the entire base due to water coming through the embankment and lost some of the hillside. The vegetation removal, what looks near to the edge of the embankment, was Comm. Jagoe's concern. Valley reported that vegetation removal was planned only for the area of construction and it was his opinion that the 50' offset was sufficient. He said the patio location was inside the setback. He clarified that cabin no. 2 was the only cabin inside of the setback and that vegetation removal would be handled in accordance to conditions and that any accidental removal during construction would be replanted. Vice Chair Young questioned the setback and asserted that some cabins are about 25' from the top of the bank, referencing the stakes that were currently in place when she visited the site. Valley explained that he had not conducted a recent site visit but that he had confidence in his surveyors. He could not speak to the placement of the stakes. He said he would note that the contractor keep the cabins outside of the 50' in accordance with the condition. Young was concerned that on-site activity would need to be monitored by staff.

Aaron Valley affirmed that he had read the staff report and understood the conditions.

Aleia Bailey introduced Michael Allen, who had submitted a testimonial Speaker's Card. He related that he had once been a host at the campground. He was in favor of the addition of the cabins. His concern was the removal of the vegetation at the site and related his experiences with wildlife and the plants. He had taken photos recently at the top of the bank and believed that vegetation removal would erode the bank. He wanted assurance from Lane County that this would not occur.

Michelle Hunt clarified that the staked area was for the 3rd cabin and deck and that it was measured from the innermost part of the bluff and the stakes could be moved back.

FarleyCampbell recommended that the application be approved, with changes to the conditions. The hearing was closed at 6:41 PM.

Discussion and deliberation – Comm. R. Miller stated that there had been contractors that had cleared property and mistakenly removed vegetations and did not want this to happen. Comm. Jagoe wanted an amendment that if any cabin encroaches the 50' setback, they would need to come before the Commission (not including the deck). Comm. Hauptman stated that the applicants did not have a grasp of the property. Young asked staff if Condition 12 could be amended because it left the responsibility for encroachment into the 50' to the engineers. Comm. Condition 12 was revised essentially stating that the cabins had to be placed 50', which would be demarcated, outside of the setback and clearing vegetation outside of the area would require a return to the Planning Commission for consideration. Comm. Murphey wanted to know

the process of assuring the pads were placed in the right location. FarleyCambell amended Condition 12 and created Condition 13 as follows: 12. Prior to site disturbance, the applicant shall delineate the 50-foot setback area and the cabin corners and call the City for an inspection and approval. 13. Any modifications to proposed 50-foot setback requires Planning Commission review and approval.

Start Time: 5:39 PM

End time: 6:53 PM

Action: Approved, as modified by staff and the Commission

Motion: Comm. Jagoe

Second: Vice Chair Young

Vote: 7-0

Planning Commission took a break until 7:05

5. **PC 21 02 VAC 01 - 20TH STREET PEDWAY:** A Petition by Simone Calfee to vacate a 15' X 135.42' public pedestrian walkway/right-of-way owned by the City of Florence, located between Lots 13 and 14 of the Sandpiper subdivision, also known as Tax Assessor's Map 18-12-27-10, Tax Lots 00118 and 00119, and addressed as 1499 and 1545 20th St. The area occupies approx. 0.047 acre or 2,031.20 square feet, more or less. Petitioner proposes vacation of the right-of-way in order to retain a previously constructed side yard fence on the west side of Petitioner's property. This walkway area is not developed with public access.

Chair Tarvin opened the hearing and called upon Senior Planner Johnston to deliver the staff report. Johnston provided general information pertaining to the area which included the pedway in question, its location in relation to the school campus to the north, Miller Park and the Lane County Maintenance Yard to the south; and three additional pedways that had been planned for the area, but which were not in use. She explained the petition's timeline and that the Initiation Hearing had already taken place with City Council whereby they determined whether the vacation was in the public interest and the value of the vacation, money of which would be placed into the Park's fund. After she commented that the Council had then referred this application to the Planning Commission to decide, as well, if this vacation was in the public interest and, if so, to provide the City Council with a recommendation to be considered at a later City Council hearing. Johnston covered the relevant review criteria. She showed the applicant's residence and provided information on existing conditions which included a fence over the pedway in question, and area zoning. The central argument, she explained, is that Oak St. is the main pedestrian access point between the closed school campus and Miller Park. The need for any possible future pedway connections could be utilized by the two existing platted pedways to the west that were currently unused or underused and the pedway immediately to the east of the County Maintenance Yard. Johnston shared Comp Plan excerpts and the Parks Master Plan and that this latter plan explained that all of the pedways were included and listed as "low potential use" on the development list" in the 1987 Plan. Johnston stated that staff recommended approval with conditions. Comm. Murphey asked if the City owned the property immediately west of the Maintenance Yard and she affirmed that they did. Comm. Hauptman wanted clarified the schoolboard's meeting where they would validate their signature of support. Chair Tarvin asked about the existing fence. Johnston relayed that there had been a code enforcement violation by the previous owner which brought the application to this request.

Applicant Simone Calfee clarified the address of 1499 is the neighbor and 1525 is her address and that no one could walk through the path because the school is fenced in. She also affirmed she read the report and understood the conditions. No speaker's cards were submitted. The hearing was closed at 7:26.

Start Time: 7:06 PM
End time: 7:28 PM
Action: Approved, as recommended by staff
Motion: Vice Chair Young
Second: Comm. Jagoe
Vote: 7-0

6. **Report and Discussion Items.** Comm. Jagoe wanted to know when the public would resume meeting in person. Comm. Murphey wanted Planning staff to take a proposal request for an in-house building inspector to conduct site inspections and to have development meetings with developers.

FarleyCampbell provided her Director's Report. She explained that the City Recorder reminded the PC about returning the documentation form indicating completion of the ethics and general trainings. She provided the upcoming open meeting to visit Fairway Estates on April 2. She relayed that general information work plan was underway and provided an update on the timeline for the Benedick annexation and Council work plan. She addressed Comm. Jagoe's desire to meet in person. She explained that there is a list of things that needed to take place before meetings in person could occur. In response to Comm. Murphey's concern, she explained that there were issues with communication between land use applicant's and their contractors to ensure that the land use process requirements and conditions of approval do not get lost. She explained that the State is working on the requirements for city's using contracted building officials and that we are grandfathered in. She shared the upcoming land use applications for future meetings such as an appeal of Heceta storage and a conversation on Fairway Estates. She shared that two annexation requests were in the works and that staff has 21 applications they were processing.

The meeting adjourned at 7:37 PM.

ATTEST:

Phil Tarvin, Chairperson

Aleia Bailey, Admin. Assistant