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**City of Florence  
Planning Commission Meeting Minutes  
250 Hwy 101, Florence, OR 97439  
December 13, 2022**

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

Vice Chair Andrew Miller called the meeting to order at 5:29 PM.

Commissioners Present:      IN HOUSE: Vice-Chair Andrew Miller (Chaired Meeting), Commissioner Eric Hauptman, Commissioner Phil Tarvin, Commissioner Kevin Harris, Commissioner Ron Miller, Commissioner John Murphey  
VIRTUALLY: Chair Sandra Young  
EMAC Member Present: Lisa Walter-Sedlacek, Alan Noblock

Staff Present: Planning Director Wendy FarleyCampbell, Assistant Planner Clare Kurth, Planning Technician Sharon Barker, Management Analyst Peighton Allen

At 5:29 PM, VC A. Miller opened the meeting, Sharon Barker gave the Roll call. Commissioner Kevin Harris led the flag salute.

**1. APPROVAL OF THE AGENDA**

Start Time: 5:31PM

Action: Approved

Motion: Comm. Murphey

Second: Comm. R. Miller

Vote: 7-0

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

**2. APPROVAL OF THE MINUTES:** November 8 and November 22, 2022, approved unanimously

Start Time: 5:32

Action: Approved

Motion: Comm Murphey

Second: Comm Hauptman

Vote: 7-0

**3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA:**

No public Comments:

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Vice Chair A. Miller relayed basic instructions regarding the proceedings and asked if any member wished to disclose a conflict of interest, ex-parte contact, or biases and the right of the public to challenge any commissioner's ability to hear this matter.

VC A. Miller asked the Commissioners if they would like to declare a conflict of interest, ex parte contacts/communications, or bias. There were no declarations of conflicts of interest.

There were no ex-parte contacts declared

There were no bias declared.

No citizen present wished to challenge any Commissioner.

VC A. Miller: 4th Item on the Agenda tonight is a Public Hearing for **Resolution PC 22 18 COU 02**

**Resolution PC 22 18 COU 02 – 2686 Hwy 101 – Donnelly Food Truck POD**

An application from Matt Donnelly requesting a Change of Use at 2686 Hwy 101, located southeast of Hwy 101 and 27<sup>th</sup> St. to allow for operation of a Food Truck POD. The vacant warehouse space is proposed to be remodeled as indoor storage, food prep area, dishwashing, and indoor beer garden and gathering area. Proposed outdoor changes include outdoor dining, additional ADA and bicycle parking, and water and electric connections for the food trucks.

**Hearing opened 5:38 pm**

Assistant Planner Clare Kurth presented staff report. Kurth explained that the application is for a change of use, when it was received and when it was deemed complete. It is a change from a warehouse use to a food truck pod with an indoor gathering area, beer garden and outdoor dining tent. It is a Type III land use decision because the change of density, because it requires more than 5 parking spaces. No public testimony was received. A conceptual drawing was displayed, not actual drawing or detail. Referral were sent, Siuslaw Valley Fire and Rescue said that the truck placement was ok and the fire hydrant location is adequate, ODOT will require additional information to determine if access permit is required, Florence Public Works Department, the entirety of the building projecting eastward appears to be encroaching into the public ROW, Private use of Public ROW permit would be required or that section of building would have to be removed, these issues are being resolved, and that there needs to be a 3' min. clearance around fire hydrant. Florence Building Department replied that there are no building permits on file for the eastward projection. Criteria was reviewed. Previous land use decisions for this location are AR 10 15 DR 03 – Mini Pet Mart and PC 06 19 DR 19 Dunam Motor these decisions were mostly about the encroachment that is in the process of being resolved. A vicinity map was displayed. A site plan map was displayed, this was not the most recent site plan that Dan Lofy has provided but it did show the proposed new parking is located. The most recent floor plan that was received this morning from Mr. Lofy was displayed, the plan showed the section that is being proposed to be removed. This was proposed to be the kitchen but the kitchen has been moved to be inside the building. Issues and Decision points are minimum parking requirements, proposed black exterior needs to be discussed, encroachment into the Public ROW, landscaping updates and currently there are no City Codes for food truck/food truck pods, how to consider this space/use. Minimum required for restaurant use is 1 space per 125 sq ft. the building is a 4,478 sqft building, which would require 36 parking spaces, there are currently 21 proposed, a 10% transit reduction is possible. The color proposed is black and the question is, is that color compatible with the Pacific Northwest color palette, there are a couple other businesses on main street that are dark gray and close to the black color. Landscaping proposed would be the extent of development that is going on with the parking lot changes and the intensity changes are in line with new development, which will require the landscaping to be brought up to current code. The entire lot is proposed to have 52 parking spaces in total 25 of those are dedicated to mini pet mart. The proposed parking additions are 21 parking spaces, 5 bicycle spaces, 2 ADA spaces, 6 food truck spaces. Parking calculations were explained. . Parking option breakdowns slide was shown and explained about option 1, 2, 3, and 4 which is located on page 10 of the Findings of Facts. Exterior color chapter 6 says that there should not be any primary colors used so we

will be asking the Planning Commission if the black that is proposed is a primary color. The Highway District setbacks and permitted uses were explained. The required setback is 70 feet the building is setback 220' so the setback is met. The permitted uses in the High District are all those that are permitted in the Commercial District and includes restaurants and walk up, dine in, drive in. Food Truck Pod can be consistent with permitted uses. Landscaping was explained and that it will have to be brought up to current code and compliance, there is currently landscaping on the Northern property line and the Hwy 101 ROW. Kurth asked the Commission if they only want to consider the landscaping of the Hwy 101 ROW border because it is the only one developed or did, they want to consider the undeveloped 27<sup>th</sup> Street, that has the multi-use path into these calculations. This use is more intense and will require a barrier that is at least 30" in height and a maximum of 6' along Hwy 101 they will need to screen headlights from the highway. The other requirement is a buffer between other commercial uses, the existing buffering and the distance between uses should already be adequate for screening on the North property line. Landscaping islands are required with the addition of 20 spaces or more but FCC 10-34-3-4-C allows patios and pedestrian amenities to count towards 10% landscape required. Kurth said that they did not condition in the proposed resolution that if certain conditions are met then the outside dining can be considered towards this landscaping island. Access and Circulation FCC 10-35-2-4 requires ODOT Access permit because of the access to Hwy 101, there is a shared driveway access to the south off Hwy 101 and access from the North from undeveloped 27<sup>th</sup> Street. There are bike lanes and sidewalks present. The Multiuse path connecting Hwy 101 to Spruce Street, and a transit stop NE of 27<sup>th</sup> and Spruce St. intersection another transit stops west side of Oak St. between 23<sup>rd</sup> and 24<sup>th</sup>, the transit stops help achieve the 10% reduction. No new lighting is proposed, the existing lighting is adequate. Parking will have to be on site, (no offsite parking), Design Review is valid for one year. Utilities will need to be underground to prevent tripping hazards for pedestrians, minimum setbacks from Hwy 101 will have to be maintained, all food trucks and employees shall maintain City, county, and State licensing and permits to operate at this site. There will need to be a minimum of 1 trash receptacle within 10 feet of main entrance, outdoor dining tent, and at least one food truck. All outdoor trash receptacles shall be placed in an enclosure or inside the building at the end of business each day. All new curbs, wheel stops, or bumper guards will be in compliance with FCC 10-35. The proposed Change of Use is consistent with the permitted uses, it does not have the required parking spaces but we are asking the Planning Commission to decide which is the best way to calculate that. The alternatives were listed. Staff recommends the to continue the Public Hearing if more information is required.

### **Questions:**

Comm. Hauptman asked how the encroachment was being addressed. Kurth said that the new site plans that we received today from Mr. Lofy proposes removing the encroachment and moving the kitchen into the interior of the main building. This area of Redwood is not eligible for vacation because of the utility lines, so the applicant is proposing to remove the encroachment.

Comm. Murphey asked if Pet Smart have the required number of parking spaces, or do they have excess. Kurth said that the lot itself has excess but that Pet Smart was dedicated their 25. Comm. Murphey said that the reason he asked is because if Pet Smart has more than is required, the applicant can always lease parking spaces from Pet Smart. Kurth said that there is a section in code that talks about shared parking.

Comm. Tarvin asked if the tax lot they are talking about is it one tax lot that includes the lot to the South include the Pet Smart and the warehouse foot print, is it one tax lot. Kurth it is actually broken up into 3 tax lots. FarleyCampbell said that tax lots are just for assigning taxes and that the Planning Department does not use them for any other function. Comm. Tarvin asked if the applicant can share Pet Smart parking spaces, without a cross agreement or will they need a cross agreement? Kurth said that she feels that they would need to have a cross agreement. Comm. Tarvin said he was just wondering if it is one big property of if they will need an agreement, and if we will need to condition that they get an agreement. Comm.

Murphey said that there are a lot of cross agreements in place. Comm. Tarvin said he was just wondering if they are going to have to require a recorded cross agreement.

### **Applicant Testimony**

Matt Donnelly said that he thought that the parking spaces in question were for actual restaurant/dining space not the storage space, if that is the case then they have about 2400 sqft in combined seating is both indoor and outdoor sitting which would put me at about 19 and ½ proposed spots to have and he believes he has 20, he thinks they might fall right in line with the parking that is required. Donnelly asked about the right of way, and that he has a major issue with vehicles all day and night long driving, he has cameras the back and he would like to know if there is a way, he could chain that off or block that off to keep people from driving back there. Once the POD is built, there won't be a way for people to use the area in back,

Dan Lofy said that he has a question about the parking, about 27<sup>th</sup> Street along the North property line, can people actually park on that section of 27<sup>th</sup> St. there, even though it is not a street, maybe the food truck vendors.

Matt Donnelly said that he thinks that the only problem that people might have back there been the blocking of the fire hydrant, other than that it is not part of the multi-use path if people were to park there the only problem, I would see is that the Fire Chief would not allow the hydrant to be blocked.

Dan Lofy says that is just trying to figure out more parking spots for the food truck vendors because you are talking about 6 spots for the vendors to park and we have that area in the northeast side over here. Matt Donnelly if I was able to chain off that right of way that would enable the other small business owners to park in back of the shops and that would give an avenue of at least six spots.

Comm Murphey; when it was Bert's Chevrolet the employees parked in the alley behind the business and it was chained off on each end and nobody could get back there except through Bert's Chevrolet.

Donnelly asked if that might be an option for him.

Vice-Chair A. Miller asked if staff had a comment on that. FarleyCampbell said that it is public right of way, for public use and it is not currently developed as a street or right of way, it can be used for public use to include yours but then it would need to be improved to street standards. That is in Code and it says what the requirements are, which can be looked at under a separate review or you can add it to this and it could be reviewed and added to the continuance. Comm. Hauptman asked if a DPW would have to approve parking in the right of way in the alley. FarleyCampbell said that current code allows parking on streets to count for commercial entities, but you have to have a street for it to count it can't just be a wide space in the grass, this street is not improved.

Comm Murphey asked if it is not an improved street, then how can we consider it improved for public use? If it is not an improved street that we can drive on, how can we consider it improved for public use.

FarleyCampbell said you cannot, the street would have to be brought up street standards in order for it to allow parking there, it was not intended to be a street and that is why the multi-use path is there. Comm Tarvin said that the inside dining area had multi-purposes, was the word gathering place used. Donnelly answered that basically it is an indoor dining for the purpose of food trucks and the beer garden, as far as multi uses. Comm Tarvin while they are enjoying the food there, but not a meeting place for groups of people to come and have a venue for a place for people to meet and gather? Donnelly said that he does not believe that will be the case.

Matt Donnelly said that he has read the staff report and the finding of facts and that he understands them.

There was no public testimony

VC Miller asked if the Commission had any questions for staff. There were no further questions of staff.

VC Miller said that the Commission needs to decide whether they want to leave the public hearing open or close the public hearing.

Chair Young staff recommended that we continued the public hearing. VC Miller that is the recommendation until we have had a time to calculate how we are going to do the parking questions and ODOT access.

Planning Asst. Kurth; said that we can condition the ODOT access but will need to work on the parking. FarleyCampbell that staff is recommending the continuance is of the hearing because we received revised floor plans and site plans today and staff has not had the opportunity to update the findings, by continuing it gives staff the opportunity to work on the calculations since the kitchen has changed it is no longer in the addition that is to the rear of the building.

Comm. Murphey asked if they could still start deliberations tonight, like they did in their last hearing?

FarleyCampbell said yes. Once the hearing is closed it is done, but you can still take written testimony up to 7 days afterwards it is just that you wouldn't be able to comment on it. Chair Young I think we should continue the public hearing. Comm. Tarvin and Comm. Hauptman said that they agree. Comm. Murphey said that he would like to talk about it tonight also. VC A. Miller asked if they needed to vote on closing the hearing. FarleyCampbell told him yes. VC A. Miller asked if he needed a motion because it will have to be moved to a date certain. FarleyCampbell the applicant has not waived their 120-day processing time, so it would have to be the next available hearing, she asked the commission if they would like it on the 27<sup>th</sup> of December. VC Miller asked if they could carry it over to a January meeting, FarleyCampbell said they could but both Comm. Murphey, and Comm. R. Miller will be retired.

Dan Lofy said that on part of this plan there is a storage thing that he uses for himself, it is in the square footage that doesn't really pertain to what is going on, that is going to remove a lot of parking required.

Comm. Tarvin I think we need a final version of what we are actually proposing. Comm. Tarvin asked staff if the meeting was in January, would they need a waiver from the applicant? Staff replied that they would have to be through with all the appeal process by March 4, 2023. Kurth said that she broke down in the Findings, for parking, we can certainly go over those more in depth, if you have questions. Comm. Tarvin didn't think they needed that tonight. FarleyCampbell told the Commission that what they are being asked to do is to count up all the square footage that has to do with the site and divide it by 25 is needed for parking. VC A. Miller asked if we would have the discussion before they voted on the continuance? Comm. Hauptman asked if they continued what is the last date they could continue to. FarleyCampbell the last date would be January 10<sup>th</sup>, 2023, you would have to make a decision on that date. Comm. Murphey said they should continue to the 27<sup>th</sup>. Comm. Tarvin said 27<sup>th</sup> is ok. Comm. Tarvin motioned to continue to the 27<sup>th</sup>, Chair Young seconded. Roll Call Vote: 7-0 motion carried.

Time Continued to December 27, 2022: 6:39

Motion: Comm. Tarvin  
Second: Comm. Chair Young  
Chair Young: yes  
Vice Chair Andrew Miller: yes  
Comm. Hauptman: yes  
Comm. Tarvin: yes  
Comm. Harris: yes  
Comm. Murphy: yes  
Comm. R. Miller  
Vote: 7-0 – Motion passed  
Hearing Continued: 6:39pm

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#### **Agenda Item #5 Chapter 6 Vegetation Preservation review of Title 4**

Comm. Phil Tarvin lead the discussion with a presentation. The review was assigned to both the Planning Commission and EMAC. EMAC will be leading on the additional areas that work is needed on. The primary things looked at in this phase is condition on the fines, and the regulations and to address the homeless encampment and the survey situation. It is front of you tonight for the Commission to discuss and working towards getting a recommendation to put this before the City Council. The only thing lacking is a portion of the code proposal that has to do with the organization enforcement that is going to require some in depth work by staff and legal to make sure that we are putting these things together properly. There was one public comment received that had to do with inclusion of climate change language to be included in the purpose statement, that was discussed and was decided the purpose statement is public statement made by the council. The committee would not be making any steps on that. Comm. Tarvin also wanted to know if the Commission wanted to have more meetings and discussions on the matter or go with what they have so far, and start to move forward. The Commission discussed the new definitions pages. The new definitions for clear, clearing, fell, felling, native vegetation, occupied parcel, parcel, prune, pruning, remove, removal, and removed were displayed and Commission and staff was asked if they had any questions or comments. Staff said that this chapter is not in Title 10, it is Title 4 Chapter 6, there are also definitions in Title 10 and parcel in not one of them, but it is in Title 11.

#### **Slide 1 – Introduction started at 6:53pm (1:23:41 on recording)**

Points of interest: Work on this project started with our most recent work plan, it was an item that was assigned to both the Planning Commission and EMAC we have been meeting with the subcommittee members from EMAC and have made a lot of progress.

#### **Slide 2 – Goals for the Work Session**

Points of interest: Currently we have most of the recommendations together that we want to go before you and discuss and get approval upon, and then turn the recommendation into Council. The Outcome and goals for this work session is to get Planning Commission's final review and initial recommendations for any changes or additions they would like to see. Comm. Tarvin asked if the Commission needs more meetings of this issue or do they go with what we have, and start to move forward.

**Slide 3 - 4-6-1 Purpose:** The City Council finds that it is necessary to regulate tree and vegetation removal on private property to:

Points on Interest: No recommendations from sub committee.

#### **Slide 4 – 4-6-2 Definitions: as used in the Chapter:**

Points of Interest: Definitions are a tool for enforcement. Except for the riparian corridor, what are wetlands is all things that are defined elsewhere in our code, referenced in this code, should we add those items to 4-6-2 list of definitions? FarleyCampbell definitions in 10-1 and **parcel** is not in 10-1, but is in Title 11, in this list of definitions you are talking about a tax lot. Partitions in title 11 have a different meaning, then what is in Title 4. Do you think people will be confused by this. Comm Tarvin said they tried to match definitions as they were found in other parts of code, but would work with staff to help work on the definitions further. Particularly the parcel definition. Look into this at next work session for this topic. Commission needs to determine if they are specific enough in the definition of parcel. FarleyCampbell also pointed out the definition for **Occupied Parcel**, talking about dwellings, does that include tri-plexes and quads, multi-family, or is it really intended to be just for single family dwelling lots. Comm. Tarvin said that language was taken from other definitions that were found and noted that not all definitions were consistent throughout code the intent of that particular definition is to align with the size of a lot later on in one of the permit provisions that exempts owners of a single family dwelling or a duplex or one with an ADU from being subject to one of these requirements, as long as that can be addressed somehow the occupied parcel could go away and we just come up with a different terminology in the section itself. Comm. Murphey asked if they needed to add unoccupied or vacant parcel, to keep people from camping in there. Comm. Tarvin said that will be in a different section. The parcel along with the occupied parcel is an issue we can work on in our sessions with staff.

#### **Slide 5 – Page 2 of Definitions;**

Points of Interest: FarleyCampbell said that in the definition of Topping Topped there seems like there is something missing after maintaining existing. Comm. Tarvin said that what is missing there grammatically is a semicolon, instead of a comma. FarleyCampbell we need to define sightlines or know what that means, does it mean vision clearance area at like intersections, or something else? Comm Tarvin said we should add more to that. Comm. R. Miller asked if they should add something about danger trees. FarleyCampbell said that they are in a different section of the code, but that they could be listed as exemptions. Danger tree definition is in 6-1 and that it should be updated also. Comm. Tarvin asked Comm. R. Miller if they should redefine danger trees. Comm. Tarvin said that we need to have a better idea of how a danger tree is defined and that he thinks the staff should have more discussion on that in the upcoming sessions. The area of code where this is located is Title 6 Section 1-7-12 has to do with the dangerous tree code.

#### **Slide 6 – 4-6-2 (b) Examples of native Species common to the City of Florence**

Points of Interest: Introduces that example of native vegetation. Comm. Tarvin still can't decide if this is necessary or not, or if the code is already good enough. Does the Planning Commission want to leave this information in or do you want to take it out? Chair Young said that they had to make sure to be careful that there is not a conflict on the list, making sure that if it is on one list it is on the other as well, and not have conflicts. This will be a subcommittee issue.

#### **Slide 7 – FCC 4-6: List of Common trees, shrubs, ground cover and grass and reed species**

Points of interest: Need to make sure to be careful that there is not a conflict on the list, making sure that if it is on one list it is on the other as well, and not have conflicts. Comm. Tarvin said that they will make sure that the lists coincide completely. This will be a subcommittee issue.

#### **Slide 8 – 4-6-3 Significant Vegetation Clearing Permit Required.**

Points of interest: This existing section that was modified quite significantly the Commission borrowed the definition of significant vegetation from another part of code instead of using native vegetation, they used significant vegetation. What this means is any tree whether it is Native or not but meets the definition of a tree then it is regulated under this code. This code is pretty close to what it was before, but with some verbiage changes, the big change other than this is we had an exemption to a permit requirement or a vague reference to surveying, which wasn't well defined that exemption was removed, which became part of the next type of permit.

**Slide 9 – Exemptions:** Subsection A of this section does not apply to removal or clearing of significant vegetation under the following conditions.

Points of interest: This lists the exemptions that were talked about on previous slide, it was pulled out and is now number 4 on this slide, which goes back to our occupied parcel definition. FarleyCampbell, under B-2, in implementing this it means that if you have a Goal 5 wetland on your property under this code, you could go and clear that Goal 5 wetland because it is exempt, is that what you mean? Comm. Tarvin, actually the only change to that was changing the original verbiage from Native Vegetation to significant. FarleyCampbell, you have defined significant vegetation to include riparian and wetlands, which are Goal 5 protected wetlands, it should say “includes native vegetation and plants not within those areas”. There is specific area of code that says you can't remove anything from them. FarleyCampbell the word significant has always been a problem to her because people are going to get it confused, somewhere down the line they are going to think that they can clear native vegetation in riparian areas, that are in another part of code. Comm Tarvin explained that where he got that particular verbiage was from significant vegetation credits for landscaping. Comm. Murphey said that you could interrupt significant vegetation as dense vegetation on a regular lot. Comm. Tarvin said that if they need to beef up the definition then they should. Alan Koblock maybe we should look at it this way, significant vegetation as for the purposes of code, would be if you want to touch vegetation in any parcel that is larger than one acre, that is in wetland, riparian area, or areas with significant slope, or buffer zones, that would require a significant vegetation removal permit. That way you have to follow the procedures for getting a permit. Comm. Tarvin said that they could certainly omit those areas of concern, but that he thinks it is important to somehow, whether we use it as this definition, that anything that qualifies as a tree needs to have regulations on them, even if it is not native vegetation. Chair Young the exemption section says you can do all that with exceptions. Maybe we should consider changing it and making it less vague. FarleyCampbell suggests a preface adding in that explains, welcome to this chapter and here are the two permit tracks. An administrative point “following the two things below”. Comm. Ron Miller asked does “and Tree” have to be in there. Alan Knoblock said every tree with a certain diameter would be protected and would require a permit to be removed. Comm. R. Millers talked about the 40% slope. Comm Tarvin said that he could put the word tree before slope and that might make things clearer. Comm. Murphey should we use tree or woody plant. The commission will work more on this with staff.

**Slide 10 - 4-6-4 Procedure for obtaining a significant vegetation clearing permit**

Points of interest: did add a subpart 1 to better describe permit or conditional use permit, how they would be administered. FarleyCampbell the Commission has reviewed vegetation clearing permits that are submitted with other types of land use applications, so you may not want to be as specific as Conditional Use permits, this is a carryover of the code and is not sure why it is so specific, you may want to include them all, unless you just want to leave it just for Conditional Use Permits. Comm Tarvin, the reason it was included is because it was a carryover from previous code and we saw some vagaries in it and we wanted to add to it, to make it clearer if it was going to stay. FarleyCampbell it needs to be clarified to say whether



we are writing a Title 10 Chapter 1 process for noticing and all that, or is this about a building permit and you want staff to look at it and set the criteria. It needs to say that they do not have to go through the noticing process. **This will need to be worked on.**

**Slide 11** – All request for a significant vegetation clearing permit shall be submitted to the Planning Department.

Points of interest: mostly all from the original code, there are some expansions as to what is needed on a site plan, it differentiates between a site plan and a plot plan. Item 4 talking about the applicant's revegetation plan, part of the criteria was going to be a description of the applicant's revegetation plan if any, it seems like a revegetation plan should be an optional thing. Open to discussion on what the desire is and what the Commission and staff would like to see. Lisa Walter-Sedlacek noted that the going forward looking at this code, the type of vegetation that does come back after being cleared needs to be looked at in this process.

**Slide 12** - the significant vegetation clearing permit application through the Administrative Review Procedures in FCC Title 10 Chapter 1 within forty-five days (45) of filing a complete application. Review and approval shall be based on the following criteria, as applicable to the request.

Points of interest: The only new thing here is the requirement to close out the permit by the applicant and to request a final inspection, item D on this slide.

**Slide 13** – 4-6-5 Vegetation removal permit required

Points of interest: this slide says to be for 3 different options to be fully clear and objective, with the objective to have an over-the-counter type of permit to be issued as fast as possible, #3 may not be included, but we think the way it is written is that it does facilitate items 1&2. Slide is also where the exemption comes in, or the next slide for smaller lots. We will leave 4-6-5 as it is.

**Slide 14** – Purposes: A vegetation removal permit is required and may be issued for the following purposes.

Points of interest: the three purposes #1 is for the encampments. #2 Surveying that needs to be exempted #3 staff using discretion to see if it meets the scope of #1 and #2. Comm Tarvin thinks that #3 can be left the way that it is

**Slide 15** – Mandatory Conditions: The following conditions shall be made a part of any Vegetation Removal Permit prior to issuance.

Points of interest: mandatory conditions that staff puts on these types of permits. This would be typical of all permits issued under these reasons.

**Slide 16** – Mandatory conditions continued.....

Points of interest: #10 additional conditions that would apply for the purposes of surveying or some other purpose. The number of lanes and the spacing is probably going to be up for a lot of discussion later. This is a good starting place for use to make our recommendations.

**Slide 17** – 4-6-6 Procedure for obtaining a vegetation removal permit.

Points of interest: the list itemizes what the application will include, it is an abbreviated version application information that will be of the actual clearing permit.

**Slide 18** – (B) 4-6-6 Procedure for obtaining a vegetation removal permit continued....

Points of interest: Item B gives the criteria for the approval and Item C talks about the close out of the permit.

**Slide 19 – 4-6-7 Appeal of Design Review Action**

Points of interest: this information was carried over from the original. 4-6-8 is not addressed in the review items. This needs to be put together with input from staff.

**Slide 20 – 4-6-9 Violations and penalties**

Points of interest: Failure to obtain a valid removal permit, the penalty is \$500. Comm. Hauptman does not think that is realistic. People just live with the penalties because they are not high enough. Comm. Tarvin asked what would be the penalties that would work? Comm. Hauptman we need to define offense, is it clearing the entire property of clearing one tree? Comm. Hauptman asked if this is something that staff can administrate? Comm. Tarvin if we require a comprehensive site survey with an itemization of each and every tree so we can base a penalty or violation on that. Comm. Murphey we could stop the project. Comm. Tarvin the original code had a red tag procedure. Lisa Walters-Sedlacek there will be tree plotting surveys done in the future. FarleyCampbell I am going through these, but this will take some more work.

**Slide 21 – Violations and penalties continued.....**

Points of interest: continuations of the penalties

**Slide 22 – Violations subject non-specific penalties**

Points of interest: these penalties are for those other than the those provided for within FCC 4-6-9-A above, the following shall apply; these are similar in format and style to what is currently in code with a few tweaks.

**Slide 23 – 4.6.2 (b) – City of Florence Designated Native Vegetation Species list**

Points of interest: the two pages that makes up the City's current plant list. There will be a final list for the recommendation. Does the Planning Commission want the final list brought back to them? The Commission said they don't think that is necessary.

**Slide 24 – Public comment period**

Points of interest: there was no public comment

**Slide 25 – Next Steps to move the project forward and final remarks from staff and commissioners**

Points of interest: Comm. Tarvin says that he thinks the next step that we need to do to move the product forward is to take what they have so far and engage with staff at pretty intensive levels so that they can start work on the current situations.

Comm. Tarvin we only addressed mechanized in the non-significant vegetation, the removal portion. Comm. Murphey asked if the committee had any discussion up North where they were going to move the concrete plant? Comm. Tarvin said there was a lot of discussion on that project. We need to find a way to fine the contractors as well.

Ended 8:20pm

**Agenda Item # 6 – Workplan review 2021-2023 (8:21pm)**

The only items on the plan are where the Commission is primarily lead or there is an extremely strong tie to the Commission input. A status column has been added so that if any activity has been performed it can be noted in the column. There has been activity in the TSP and the HIP, if nothing is in the status column, then that means that activity has not started on that item yet. This is the year one list; at the last meeting you had your year one list which consisted of just 6 items those 6 items are embedded in this list as well so this list is the comprehensive list. The items that have not had any action yet, are the lighting code, I was a little more worried about it because I was thinking that the amortization periods took affect this January, but they do not take effect until January 2025, so we have time to do the educational outreach. The general land use housekeeping will include the parking lot lighting codes also the review commercial districts use codes, consider reintroducing compact standards and create consistence in ADA dimensions, update the Stormwater Design Manual, and review the lighting code. It is too soon to do the Comp Plan updates, because we are still working on the HIP. Under infrastructure the Commission will partner with CLPUD to explore opportunity to add LED street lighting. Infrastructure and Capital improvements the TSP is underway. Sustainability and Conservation, to create pathways for sustainable local food production and security is on both your work plan and on EMAC's, it is for making sure that the opportunity to add bee hives is in code. Your updates to this work plan and the recommendations, your next work plan will be going before the City Council in either the last week of January or the first week in February, so that is the deadline. Is there anything you would like to see the city do, based on your experience with the City. The Plan will be implemented July 1, 2023. FarleyCampbell asked if the Commission had anything they would like to add. Comm. Murphey said to add Code Enforcement. FarleyCampbell said that it is on there now, but we need to add stronger language to the code.

**Reports and Discussion Items:**

- none

**Directors Report and Discussion Items:**

FarleyCampbell: Introduced the new Planning Commissioner, Laurie Green, that will be joining the Commission in January 2023. Replacing Commissioner John Murphey and Commissioner Ron Miller who will be retiring from the Commission. Mayor Henry appointed Laurie Green and John Raleigh to the vacant positions. Laurie came from the EMAC Committee.


Laurie Green came up to the podium and introduced herself, and was welcomed by the Commission.

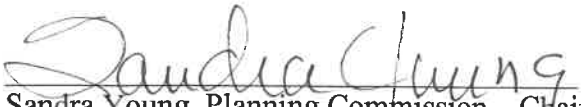
**Calendar:**

Next meeting is December 27<sup>th</sup> which will consist of the Dairy Queen, the Port of Siuslaw will be putting a sheet pile wall in to replace their bulkhead that is falling into the river, and the continuation of tonight's item Food Truck Pod. January 10<sup>th</sup> is the continuation of Fairway Estates phases 2-3-4. On January 19, 2023, a Thursday, (5:30) will be the second open house for the TSP update. The SAT members, Chair Young and VC A. Miller, will have a meeting at 3:00 that day. There will also be a PC meeting on January 24<sup>th</sup> as well. City office will be closed Monday, December 26, 2022 and Monday January 2, 2023.

The meeting adjourned at 8:38 PM.

**ATTEST:**

  
Sharon Barker, Planning Technician

  
Sandra Young, Planning Commission Chair