

**City of Florence  
Planning Commission Meeting Minutes  
250 Hwy 101, Florence, OR 97439  
September 28, 2021**

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

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

Commissioners Present: (Video Conference) Chairperson Phil Tarvin, Vice Chairperson Sandi Young, Commissioner John Murphey, Commissioner Eric Hauptman, Commissioner Ron Miller, Commissioner Andrew Miller.

Staff Present: (In House) Planning Director Wendy FarleyCampbell, Senior Planner Roxanne Johnston, FEC Manager Aleia Bailey, Planning Technician Sharon Barker

At 5:30 PM, Chair Tarvin opened the meeting, Sharon Barker did a Roll call. All members present. Commissioner Ron Miller led the flag salute

**APPROVAL OF THE AGENDA**

Start Time: 5:32 PM

Action: Approved

Motion: Commissioner Murphey

Second: Commissioner Hauptman

**1. APPROVAL OF THE AGENDA**

Start Time: 5:32PM

Action: Approved

Motion: Commissioner Murphey

Second: Commissioner Eric Hauptman

Vote: 6-0

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

**2. APPROVAL OF THE MINUTES OF September 14, 2021**

Start Time: 5:32 PM

Action: Approved

Motion: Commissioner Ron Miller

Second: Commissioner Vice Chair Young

Vote: 6-0

**3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA: None were noted.**

No Speaker's cards were received nor public comments made.

Chairperson Tarvin relayed basic instructions regarding the proceedings and asked if any member wished to disclose a conflict of interest, ex-parte contact, or biases. None were declared. No citizens present wished to challenge any commissioner.

4. **PC 21 23 VAR 02 – NHA Shore Pines Housing Development:** Variance request from FCC 10-10 regarding height and density restrictions for proposed Shore Pines Multi-Family development located at Assessor's Map 18-12-14-33, Tax Lot 00500, being 2.45-acres situated approximately 380 feet NE of intersection of Hwy 101 and 37<sup>th</sup> St. Proposed are two 3-story buildings containing a total of 68 affordable apartment units located in the Highway District, regulated by Florence City Code Title 10, Chapter 16

Chair Tarvin opened the hearing at 5:38 pm and called upon Senior Planner Roxanne Johnston to deliver the staff report for this agenda item.

Senior Planner Roxanne Johnston: Northwest Housing Alternatives, represented by David Horsley, AIA of DAO Architecture, LLC, applied for 2 variances for Shore Pines multi-family development. Proposed are 68 units within 2 three-story buildings and associated improvements on a 2.45-acre site located east of Hwy 101 north of B&E Wayside RV Park. The surrounding areas and their uses, the project is south of the Presbyterian Church and north of the B&E Wayside RV Park, there is also a single-family residential south of the property, and a housing development to the east. Two Variances are being requested, specifically height and density. For the height the request is for a 3' 11" increase over the allowed height in the Highway Zoning District and for the density the request is for an additional 7 apartment units. Reduced parking and lighting requests were also part of their overall requests, those are going to be discussed later in the design review, because they are exceptions more than they are variances. The design review is coming up after the Variance request. Criteria was discussed. The reason this request is going in front of the Planning Commission is because Variances are subject to review process and approval criteria for variances. The Planning Commission may grant a variance to a regulation in respect to the following: Height of structures and any request to vary numerical standards beyond 10%. A slide of the elevation was displayed showing the proposed height of the building as 3'11" over the maximum of 35', is showing in the eaves. FCC 10-16 is the Highway District and maximum building height is 35', but FCC 10-10 (high Density Res.) max height is 40' for multi-family residential. The applicant rationale for the variance request is: Gable roof attic spaces contain ventilation equipment – roof pitches min 3:12. Height limit of 35' intended to allow for 3-story structures. Their rationale is that because it is a 3-story structure they should be allowed to have some leeway in the height. Applicant's rationale for no special privilege inconsistent w/limits on other properties in same zoning district. Applicant rationale is that there is no visual impact from additional height reduced by lower slope/gable roof. Small region at uppermost ridge. Doesn't believe variance to be special privilege as it does not add interior space nor any commercial advantage for the project. Applicant rationale for health safety or welfare or materially injurious is that the gable roof design and roof slope reduce visual mass of building from Hwy 101 and is not noticeable by drivers and passengers. Construction is per industry standards for similar project types in similar locations Project not detrimental to points outlined in the criterion. Variance is min. necessary to address special or unique physical circumstances related to the subject site. Applicant rationale: Project responds to unique and special aspects of subject site including parking and setback requirements, landscape and stormwater needs. Also, floor to floor and roof slope dimensions. Structures designed as low profile as possible, with only a small area exceeding the requirements. High Density Res. Allows 40'. There was some testimony on the height and this was from Debbie Ubnoske which stated that there is no legal justification for height variance, and that comparing Highway District to High Density District is not enough to support decision and the threshold for Multi-Family Funding is not enough.

We did condition the height, we put #4 as a condition is in accordance with FCC 10-5-4-A-4 and prior to final permit inspection, the applicant shall provide the Planning Department a site plan, drawn to scale showing the dimensions and arrangement of the proposed development in comparison to the existing standard. Where we looked and they gave us the dimensions, they didn't compare it to what was required and where they were at, so to follow code that was included. Variance Criteria (Density). Strict or literal interpretation & enforcement results in practical difficulty or unnecessary physical hardship. Applicant Rational: Funding ties to the mix of units to qualify – concerned reduction is # of units will affect funding, cause the project from moving forward. **Staff:** The project funding formula was not shared. We really don't know the formula they used. Yes, potential loss of subsidized housing if variance not approved. Staff argues that the need housing housing/density is supported by State Goal 10, Housing and Comp Plan, because we know that the state is trying to get more opportunities for housing. Exceptional or extraordinary

circumstances: affordable housing project unique here and does not compete with market-rate housing projects in same zoning. Increased density does not allow a competitive edge or special privilege because it is a non-profit and fills a critical need. Granting the Variance is not detrimental to public health safety or welfare or materially injurious to properties or improvements in vicinity. The applicant's rationale is that the provision of outdoor and indoor amenities, retention of existing trees which help buffer neighborhood to the east all work towards accommodation increased density. Project design consistent with FCC standards & health and safety features. Staff Comments: Provision of pervious & impervious landscaping stormwater area, contains nearly an acre. Lot coverage 19% under maximum 85% allowed (total 66.5%) Tree retention sets good example to other developers – and our Tree City. Variance is minimum necessary to address special or unique physical circumstances related to the subject site. The applicant rationale; The provision of affordable housing meets critical need for the community – provides clean, safe & affordable places for families, senior & currently underserved helps them become independent & contribute to surrounding community. Provides more housing options – wider range of income groups. requested variance minimum necessary to pus project forward to provide housing. FCC 10-16 (Highway District) redirects to FCC 10-6-5-2 (Design Review) – which redirects to FCC 10-10-9 FCC 10-10-9 (High Density Res.) max residential density 25 for acre. Lot size is 2.45 acres equals 61 total units allowable without variance. The request is for an additional 7 units (11.4% increase) to total 68 for entire development. They will have one bedroom and three-bedroom units.

The proposed Resolution needs edits so for the record, I want to read part of this so that we can get this fixed, unless you want to add more to it later, which is your privilege a request for 3 feet instead of 13 feet, 11-inch height Variance from requirements of FCC 10-16, Highway District, and a density variance of seven (7) instead of 10 units from requirements of FCC Title 10, Chapter 10 for the Shore Pines Housing Development..., and then down below we wanted to correct the date to: Adopted by the Florence Planning Commission/Design Review Board the 28<sup>th</sup> day of September, 2021. Those changes need to be made before anything is done here tonight which is why this is for the record.

Standard set of alternatives were listed. Now of course these Variance requests need to be decided before we delve into the design review because we are talking about the same figures for density and height.

There were no questions from Commissioners:

Chair Tarvin asked if the applicant David Horsley and Joanne Dao Le had a presentation.

David Horsley, we do have a presentation but it was more towards the design side and we can even do that after Wendy does here presentation if you would like, but if you would like testimony regarding the variances themselves, I could go ahead and speak of those if you would like at this time.

Chair Tarvin: If there is anything you would like to say in support of your request, we would certainly like to hear it.

David Horsley: ok, I will go ahead and augment, accentually, Roxanne did a wonderful job synopsising our earlier remarks and if anyone needs additional details, I am not exactly sure of the process, but we did write several paragraphs outlining the reasoning for these variance requests. But to add to those If I wanted to address height specifically, the height limit at the 35' level for a building that has a flat roof, one reason to have a height limit is to restrict the presence of the structure and to not be overwhelming in terms of height and whereas a 35' limit for a flat building, would contain quite a bit more volume, then what we are asking for because of our shallow gable, multi-family housing projects are in general 55-60 feet wide, and he you have a three story height have a gable at 3 and twelve and it comes very close or almost will exceed that 35' height limit, many jurisdictions count the height limit of the structure not to the ridge of the roof but to the mid-point of the gable. Florence is a little bit different if we were to take the mid-point of the gable, then the project would comply with that limit. The context of this project is that Northwest Housing Alternatives and Desi will give us a little more detail a little bit later in the evening. But we are a non-profit organization, we are not asking for any additional height to make additional profit, just wanted to let everyone know that. Which is also a segue into the density variance that we are requesting. NHA is a non-profit but if this were a developer driven project than you might be trying to press the limits and make

additional profit. But that is not the formula here. NHA will find the most beneficial formula, in order to provide the best amount of housing and the best formula for affordable housing. You do a site plan and see what the site can accommodate and put a proposal together for the State Housing Organization who figures out whether to fund these projects. The State approved the project and then we got into detailed design. It can be stated that if the variance isn't granted, we would have to go back through a very large funding cycle, and the project wouldn't happen, at least in the near future. Our goal has been to alleviate some of this housing shortage we are all in, and we want to provide this for the citizens of Florence. These units will provide affordable housing for the city.

There were no questions from the Commissioners;

Chair Tarvin: I have one question, you touched briefly on the funding arrangement, have you submitted for that funding, is it for 68 units not 61, is that accurate?

David Horsley: That is correct, actually this is very specific formula of the 34 three-bedroom units and 33 one units, you have to meet that criterion.

Chair Tarvin: you say 34 and 31:

David Horsley: There are 35 three bedrooms and 31 one bedrooms.

Chair Tarvin: potentially your hardship would be, is that if you do not build per that funding arrangement, you are going to have to go back and start some of the process over again, what are the details.

David Horsley: That is my understanding but it would be better answers by Northwest Housing Alternatives, but I can say pretty definitively, that would be a major challenge to the project.

Chair Tarvin: The funding source is it state or some kind of mix of funding?

David Horsley: It is a mix, most of these projects are a mix of State and Federal funding and we have to have all our permits in order before the state will allow full funding for the construction portion.

Chair Tarvin asked applicant if he had read the Staff Report and the Findings of Fact as they exist.

David Horsley: I skimmed the Findings of Fact that came to us yesterday, and we do not have any problems with them.

Chair Tarvin asked applicant if he understood the Conditions of Approval?

David Horsley: Can I ask that those be repeated briefly.

Johnston: #1. Approval shall be shown on a (a) Finding of Facts, (b) the land use application, (c) the elevations and (d) site plan. #2. Finding of Fact (attached as Exhibit A) are incorporated by reference adopted in support of this decision and any modification to the approved plans or changes of use, except those uses related to building codes will require approval by the Community Development Director or Planning Commission Design Review Board. #3. Regardless of the content of material presented to this Planning Commission, including this application, text and exhibits, staff reports, testimony and or discussions, applicant agrees to comply with all regulations and requirements of Florence City Code that are current on this date, except where variance of such regulations and requirements have been specifically approved by formal Planning Commission action as documented by the records of this decision and or the associated Conditions of Approval. The applicant shall submit to the Community Development Department a signed agreement of acceptance of all conditions approval prior to issuance to a building permit and apply for all building permits necessary for this proposal. (That is an Action Item on applicant's part don't change your plans unless you let us know) #4 In accordance with Florence City Code 10-5-4-a4 submit the

site plans that show the before and after that show the information. We also have the corrections to the Resolution that we covered on the record also.

David Horsley: They are all fine to us and we accept those conditions.

Chair Tarvin asked the applicant to standby. And then asked for public testimony.

There was no public testimony

Chair Tarvin asked for Staff's final comments.

Johnston: Staff does not have final recommendations, we would like to have the recommendations made up by the Commission, we have to stay strictly with the code.

None of the Commissioners or Staff saw any reason to keep the record open for additional testimony.

Chair Tarvin: It seems to me I might suggest closing this hearing yet not deliberating or making a decision on it, in that the parking issue in the design review kind of plays upon the density and the open space available etc. Does anyone else have a desire to hear the other issue prior to making a decision on one or both?

Commissioner Murphey: I thought that Roxanne stated at some point that we needed to settle the Variance issue before we moved on to the review?

Johnston: I did say that, but it is possible to leave the decision until later on until after the design review. You can close the hearing and make your deliberations later. Is that right Wendy?

FarleyCampbell: That was my initial thought, but you would have to close the hearing but then if you are listening to additional testimony that would contribute to your decision. If you want to hear the Design Review first than do not close the hearing, you will want to keep it open, because you are hearing additional testimony. You can do a straw poll and if everybody is feeling like they are ready to make a decision, then you could just go forward.

Chair Tarvin: Polled the Commissioners, asking if they would like to move on towards a decision, or should we take some additional time with this issue?

Vice Chair Young: I would like to hear the design review first; it is hard to make a decision on a project that has not been fully explained.

Andrew Miller: I am fine with that; I would like to hear the design review first, before making a decision on variances.

Commissioner Murphey: What the majority wants. I am neutral

Commissioner Hauptman: I feel as John does, whatever the rest of the Commission feels, I am in agreement.

Commissioner Ron Miller: Let's forge ahead.

Farley Campbell: I would like to make a statement for the record that these two applications were all noticed together, and there was not any indication that they would be broken out on the agenda, as separate hearing items. We could have run them all together under the same hearing item, then you would have decided on each resolution, when it came time to vote. That was an option we could have done. I don't think there was any procedural error, we were just trying to make the agenda cleaner and have a couple decision points. The components of the entire project all relate to one another. Everything would be best served with hearing them all at the same time.

Chair Tarvin: I am going to side with keeping the hearing open, taking in the additional evidence with the next hearing and then we will fall back and perform deliberation on each issue. After hearing all the evidence for both items.

Chair Tarvin: We will move on to start our #5 item on the agenda. Which is a hearing to consider a request for a Design Review for Resolution PC 21 22 DR 01.

*6:13 Developed technical difficulties. The Commission to a break until 6:30.*

Hearing re-opened 6:32 pm

Chair Tarvin: asked Senior Planner Roxanne Johnston to present the staff report for the Design Review for the Multi-Family housing development.

Johnston: It is for the same property that we just heard about the variances request. Application was submitted on June 24<sup>th</sup>, 2021 and deemed complete on August 17<sup>th</sup>, after submission of additional materials. All notices were provided per code, they all went out the same day and together. The site is currently undeveloped and zoned to the High-Density District as regulated by FCC Title 10 Chapter 16. Criteria slide was displayed. Aerial Map slide was displayed. Some of the trees are going to remain on the site as the project is developed. I just wanted to show you that there is already a buffer there as we get further into this review. Site Plan slide was displayed. Site Rendering slide was displayed. The applicant is going to try and mirror that slide very closely. What is evident to me is that there is a lot of break up in the design, it is not just one long wall with different colors there are different recesses and what not throughout the design. We are going to start with our Parking Reduction Request.

Required Parking Spaces (104 (35 3-br, 34 1-br)

Requested: 82 (equal to one per unit +14 guest spaces)

Difference: 22 total spaces (10 transit & 12 PDA)

April 2021 Parking Demand Analysis (Exhibit D)

- Applicant met with Planning Commission 2x for direction
- Studied Munsel Park Apartments, Siuslaw Dunes & Oak Terrace = Ave. parking 70% occupied
- 55-69% Moderate 70-85% Efficient
- Proposing 70 spaces – 85% occupancy

This is a point of discussion with the Planning Commission, to evaluate their parking request and see if it is in line with what you believe to be valid. They did their parking analysis based on your direction. The figures I am going to show you will support their request.

Storm water slide was shown and explained. Their storm water plan was evaluated by our City Engineer of Record, which is Civil West Engineering. Civil West was very complimentary to the plan. Most of their post development storm water is designed to be conveyed to the East. There is a wetland on the East side of the project and that is to be mitigated that is where the storm water is designed to go. Storm Systems slide was explained. There are vegetative swales and a rain garden on the east side. They have different sizes of pipes that go from 3" to 10". Sean Lloyd did a peer review and left two comments: Curb heights not shown or noted, no permit # provided on cover sheet and overall supports report. Those are things the applicant will be working on as they provide more information to Civil West and our Public Works Director. The Transportation slide was explained. There is a property South of this development and for everything to work out, their driveway is going to need to be closed and they will be sharing the driveway with the development. They are going to put in a better driveway area, because there is a drainage ditch that runs North and South along Hwy 101. Project is within ¼ mile of a transit stop, which is a good justification for some reduction in parking spaces, at least a 10% reduction. You will also notice that the folks to get onto the bus stop they will have to traverse on the Presbyterian Church property, we will get in to that during the conditions as well, some things have to happen so that people can get to this bus stop. Transportation slides was shown and explained, they did not need to do a comprehensive transportation impact analysis as you might see with larger developments because the area has already been planned for high density use. Everything is in place to support that development for ODOT requirements. There is no need for a stop light there, there is no need for an extra turn lane, or anything like that. They also found that their proposed development would impact the traffic

lights at 35<sup>th</sup> Street and Munsel Lake Road very little. The impact was found to be insignificant in the wording of the ODOT transportation report. Traffic Impact Analysis report take away...We all know that Munsel Lake Road is deficient, that intersection is going to be under a bigger magnifying glass later on, but this development doesn't trigger any need to put in a traffic light at this time. ODOT referral Comments from Doug Baumgartner, there review of the driveway is ongoing, the applicant relocated the driveway, they had to relocate the southern driveway to the residence and build a highway approach to allow access to the neighbor to the south. We conditioned that in condition 7.4. ODOT is also deferring their sidewalk design, typically speaking we know that sidewalks travel along ODOT right of ways, in this case the ditch prevents that from happening. The applicants have designed a path on their site, it is an easement so that the public has access there. The easement is conditioned in 7.2 and 7.5 Public Works referral comments by Mike Miller talks about the Driveway connection, ADA accessibility – work with ODOT for permitting. To meet standards. Maintain vegetation for sight clearance. Staff response: Applicant provided information on visual clearance, and other Conditioned as 7.1, 7.2 & 7.5. Wastewater: sewer details are ongoing. Water: Master domestic meter, separate private fire lines and hydrants proposed. Hydrant is not maintained by the City, it is going to be up to the applicant to maintain the hydrant systems. Public Works reserves right for additional comments as plans are submitted. Applicant submitted a tree retention plan. They are proposing to keep 33 mature trees of the 91 trees on the site. The trees that are not in the scored part of the plan are the ones that are to be kept. Some of the small shrubs are to be retained, they will remove evasive plants. The trees will remain in the wetland portion of the project. The Landscape Plan was displayed, they have plans to install landscape in the island buffers, and along the pathways and between the neighbors. There is a buffer between Hwy 101, which the building setback on Hwy 101 is measured from the middle of Hwy 101 and a 100' back, they will have a landscape buffer and existing trees. On the south part of the landscape there is a row of landscape materials we are concerned, as staff, that they reach the 4' landscape height to provide screening for the parking. They had a good landscape plan, but the one thing that they did not supply was, which we conditioned is that there are some shrubs that need to have sized of their containers, this is mentioned in an upgrade plan. They submitted a lighting plan, they did request a lighting reduction, as far as the intensity of the lighting filament that over all, they know exactly what areas those are, they feel that they have a proposal that is legitimate after having worked on several of these developments before, and they feel that their proposal meets safety regulations and security. They propose a 30-day review of lighting plan using their proposed system of less lighting. If deficient, site can be investigated and plan will need to be adjusted per Design Review Board, and you have the right to do so. It is less than 2-foot candles in some areas. This is a point of discussion and decision for the Planning Commission. Staff finds that the proposed application can meet the requirements of City code with proposed conditions of approval as follows Staff recommends approval of the application.

#### Slide 61 – Parking Conditions

- 4.1 Installation of ADA signage prior to CofO
- 4.2 Landscape maintenance & screening for residence to south same as Condition 5.2 we have the same condition in there twice.
- 4.3 Revised bicycle plan – 2'x6', right now it shows that they have several bicycles enclosed, we do not know if they are hanging them on the wall or how much space is allowed for that.
- 4.4 Revise bicycle signage plan – because they didn't provide us detail on that.

#### Slide 62 – Design Review Conditions

- 5.1 No exceeding noise levels, smoke, dust, etc
- 5.2 Same as Condition 4.2
- 5.3 Provide more detailed Final design plans
- 5.4 Design review expires 9/29/2022 without substantial construction

#### Slide 63 Landscaping Conditions.

- 6.1 Update landscape plan prior to CofO – need container size information
- 6.2 Ground cover recessed or raised curbed areas
- 6.3 Irrigation permit and provide backflow prevention.
- 6.4 Maintain new and replace failed plantings within 6 months.

#### Slide 64 and 65 – Access & Circulation Conditions

- 7.1 Right of Way construction permits – they will have to get with ODOT on those, and also Public works
- 7.2 15' recorded public access easement for the North/South walkway
- 7.3 Mark the fire lanes and emergency parking. They have two hammerheads that need to be marked clearly.
- 7.4 Final ODOT & Public Works approval for engineered driveway approach improvement plans.
- 7.5 ODOT/Public Works to approve sidewalks (walkways) adjacent to Hwy 101
- 7.6 Recorded pedestrian easement from north neighbor. This is for the public traversing from the transit stop through the Presbyterian Church property. On page 51 of the FOF add "Continuous accessible pedestrian access meeting 10-35-3-3-C shall be provided from the on-site system to off-site transit stop.

Slide 66 - Public Facilities Conditions

- 8.1 ADA standards where applicable
- 8.2 Mailbox plan-verification w/post office
- 8.3 Site requires National Pollution Discharge Elimination System Permit (NPDES)

Slide 67 – Lighting Conditions

- 9.1 Submit Lighting Plan demonstrating 20' is measure from grade (including base). 20' is allowed for the light pole and that is from the ground level.

Slide 68 – Stormwater Conditions

- 10.1 Maintenance details (w/in O&M plan) provided prior to final building inspections
- 10.2 City approval for Operations & Maintenance Agreement. Cost to record w/county is on the developer.

Alternative's slide was displayed.

1. Approve the application with the conditions of approval as proposed.
2. Modify the findings, reason, or conditions and approve the proposal. (Because we modified one of the conditions, we are kind of expecting this one.
3. Deny the application
4. Continue the public hearing to a date certain if more information is needed.

Johnston explained where the hammerheads are proposed on the project. They are too centrally located and they need to be marked for emergency vehicles.

Comm. Murphey asked to see parking reduction slide. I see that in the red we have the 82 that they are requesting, that is what the parking analysis showed, what does proposing 70 spaces mean?

Wendy FarleyCampbell: They studied the three apartments and they found that of those three apartments they ranged between 68 and 72% occupied. Roughly 30% of the parking spaces were vacant. What they found is that parking lots when they are 55-69% vacant that is moderately well designed, and they found that parking lots are the most efficient whenever the parking lot is 70-85% occupied. What they are proposing is 85% occupancy, which would be 70 spaces, they are proposing 70 spaces to reach the 85% occupancy. They have 12 guest spaces. They have one space per unit which is 68 units plus the additional guest spaces. The loading zone is part of the 82.

Comm Murphey: They believe that 70 spaces would be proficient, but they are requesting 82?

FarleyCampbell: discussed lighting, bike parking and racks, and roof pitch.

Johnston: discussed public testimony on the lighting and parking.

There were no questions from the commissioners for staff.



Chair Tarvin asked for more detail on the parking situation, I am looking at the slide, we have 35 three bedroom and 33 one bedroom a total of 68 units? Are the formula 2 spaces for the 3 bedroom and 1 each for the one bedroom?

Johnston: yes

Chair Tarvin: based on that, how many ADA compliant parking spaces would we be providing?

Johnson: 4 it is in my findings.

FarleyCampbell the code is one space per 25, two need to be van accessible, they are proposing 4

Chair Tarvin: our target # is 103 and they are proposing 82, which is 1 per apartment regardless of its bedroom size, and 14 guests, is there actually 86 parking spaces including the 4 required by ADA or are 14 of the quest spaces actually the ADA required?

Johnston: my understanding is the 4 are included in the 82 space figure.

Chair Tarvin: Are not the ADA required parking spaces in addition to those required by occupancy or can they be counted.

Johnston: They can be counted.

FarleyCampbell: I do have one correction to slide 44, they are proposing 35- 3 bedroom and 33- 1 bedroom, a total of 103 spaces required. The difference is 21 total spaces less.

Applicant Testimony: David Horsley, Joann Dao Le, Desi Bellamy

Desi Bellamy: Is the project manager and she represents the developer, she was available to answer questions, she introduced Northwest Housing Authority. They are a non-profit developer.

David Horsley: he did a presentation of 10 slides. The site is owned by NHA its mission is to provide opportunities through housing. They want to provide as much parking as possible, outdoor spaces and storm water management. They tried to save a bunch of trees. They have common garden spaces.

Joann Dao Le: Did a presentation, it has been a huge effort in order to provide affordable housing. Slide showed both buildings and their elevations. The east building is all 3-bedroom units, so there are 35, 3-bedroom units. Building is east – west to maximize daylight, while controlling solar heat gain, with large overhanging eaves. There are large store front windows for views of outdoor spaces. West building is smaller and L shaped, and contains the 1-bedroom units. It is L shaped to enclose the outdoor spaces and entrance, there are laundries and other amenities in the west building., this building has a smaller multipurpose room, which can serve as a lounge or a book library. Both the east and the west building have an elevator, and stairs, there are several accessibly mobility units, and all the units are accessible for wheelchairs. David Horsley: We met Wendy and her team several times over the last few years and they are getting familiar with our design team. We work in many communities throughout western Oregon. We are a relatively small firm, but do have a wide range of projects. Each project is tailored to their town or their climate. Desi Bellamy: in conclusion, this is a very special project, and we would love to continue developing in Florence, providing workforce housing. I would like to speak about the conversation further back in the evening about, the funding for this property if this does not get approved is the future of this, so it is critical that we move forward with a plan. The way that funding is structured, we would not be able to build in the next funding cycle, and that would completely kill the project. We think it is a good project for Florence.

Chair Tarvin asked for questions.

Comm Hauptman: I don't have a question, but I have seen a number of their developments around Western Oregon, including the one here in Florence. These people are doing an extraordinary job filling a hole in affordable housing and work force housing market. I am very impressed with what they have done.

Chair Tarvin: The status of the agreement with the church on the access to the bus stop. Can you speak to that briefly?

Desi Bellamy: We do have a draft agreement with the church, they have been wonderful neighbors to work with us anyway they can to create a path forward. I also spoke to the City of Florence about the possibility of not having that transit stop, and what impacts that would be, because we do not want to put everything at risk because of that, so in talking to City Staff, I think it was Dylan, there is another transit stop that qualifies for the access to the property that would allow for the 10% reduction parking for a transit stop and that's off Hwy 101, so the path to the Northwest side of the property, but as it stands now, I just spoke with the Presbyterian Church leaders today and they are still in full support of helping in any way they can, to make sure we have a path through the east portion of the property for a transit pathway that is paved.

Chair Tarvin asked if the applicants have read the staff report and finding of facts, and do they understand the conditions of approval as proposed.

The applicants said they had, and they do understand.

There was on public testimony by Mary Mathews she said she did not have any questions at this point.

Chair Tarvin asked if staff had any further comments.

Johnston: went of the alternatives slide again. Staff recommended 2. Modify the findings, reasons, or conditions and approve the proposal. That had to do with the path that was just spoken about on the Presbyterian Church property.

Chair Tarvin: Are you recommending that we modify the findings to add the access through the church property?

Johnston: yes, as we made record of earlier today.

Chair Tarvin; Now we will go back, if there isn't objection for the dais, to our previous item PC 21 23 VAR 02, to pick up there and decide whether to close the hearing or keep it open, so now is the time to discuss closing the public hearing and the written record, the Planning Commission may elect to close the public hearing this evening, if the Planning Commission has additional questions or wishes to hear additional evidence on the Commission may elect to continue the hearing to a future meeting or may close the hearing but keep the record open for a period of time in which the public may submit written evidence and argument. Does any member of the Planning Commission or staff wish to continue this public hearing or keep record open for testimony?

Commissions all said no

Hearing for PC 21 23 VAR 02 closed at 7:44 pm

The applicants came back on line for question regarding ORS 197.763 6A given the applicant the right to submit a final written argument.

Applicant: I have a couple of questions for Wendy or Roxanne on the design and a couple of things that they mentioned.

Chair Tarvin: As long as it is for clarifying and not new information.

David Horsley: Wendy mentioned the roof pitch at 5:12, there is also a section in 10-10-5 which mentions that the structures in certain zones would have a minimum pitch of 3:12, so there is some additional information and I just wanted to bring that up. There was a question on lighting about whether the pole would be less than 20', and I think the earlier information was to be less than 25' high, ours are 20' but just to make sure that there might be a couple inches of base or something, but maybe even a foot but it would be below the 25'. As far as the bicycle parking unit question, I needed to clarify that it is rack mounted and it is a manufactured piece, and there were a couple of very few guidelines in 10-6-6-5 (A), where there are trim dimensions that you are not supposed to be less than 4", for instance the gutter needed to be round or ogee profile, the rafter ends need to be exposed, and there are a couple cases where, for instance we are not exposing a rafter because we have to be very careful about the salt air, our trim is, our vertical trim, in many cases, is 2 ½ inches less than 4 because it's what's available, but then we bias that to make it higher piece at the head. I don't know if this is getting to into the weeds or if this is the time to bring this up. We wanted to make you aware of these items, as clarifications.

Johnston: I'll speak to the lighting question that you have. In Florence City Code 10-37-4 for lighting standards, because you are next to a residential use to the south and also on the east, you do have a 20' maximum height that you can be at, that is why I pointed out. The lighting that you proposed on your spec sheets, the poles themselves are 20', in order to continue the manufactured warranty on them you have to attach them to a base, what we are saying is that the base adds, if you don't keep it at ground level. That is all we are saying, just don't exceed 20', from the ground to the top of the light fixture.

Applicant agreed with the O.R.S.

Chair Tarvin: Do you wish to waive your right to submit written argument?

Applicant: yes

Chair Tarvin: we can now move on to Commissioner deliberation.

No Commissioners needed to discuss this item.

Comm. Murphey: **Motion to approve** Resolution PC 21 23 VAR 02 – NHA Shore Pines Housing Development, for the Variance requests for FCC 10-10, regarding height and density restrictions for proposed Shore Pines multi-family development.

Ron Miller: Second

Motion Carried 6-0

Hearing for PC 21 23 VAR 02 closed at 7:44 pm

Chair Tarvin: Now we will turn back to PC 21 22 DR 01. Now is the opportunity to discuss closing the public hearing and the written records. Planning Commission Can close, or keep open.

Planning Commission did not see a need to continue the hearing or keep the record open.

Chair Tarvin asked about ORS 197.763 6A

Applicant: waived submission of written evidence.

Planning Commission did not need to discuss or deliberate.

Comm. Murphey make a motion to approve Resolution PC 21 22 DR 01 NHA Shore Pines Multi-Family apartments request for approval of a design review with exceptions from required parking and lighting regulations for Shore Pines Multi-Family apartment development. With the changes in conditions of approval that Senior Planner Roxanne Johnston presented in the staff report.

Comm. Hauptman: second

Chair Tarvin: As we have added conditions to the original report, the applicant does have an opportunity to respond to the new conditions. Would the applicant like to respond?

David Horsley: No, it is fine.

Motion Carried 6-0

Hearing closed at 7:55 pm

Chair Tarvin: Item #6 on the agenda tonight PC 21 25 VAR 03 Sand Ranch Garden Center. Staff has requested a postponement of the following item PC 21 25 VAR 03. An application from Deacon Matthews to seek a variance to the setback of residential buffers for concrete display bins at an existing landscaping business. Property is located at 5351 Hwy 101 within the Service Industrial District. Staff has asked that this item be carried over to October 12, 2021.

Motion to postpone: Murphey

Second: Hauptman

Motion Carried 6-0

Item # 7: Item a discussion item. There were not items from the commissioners

Director Report: FarleyCampbell: I will be submitting a grant on Friday for the Technical Assistance master planning, so if you have comments of interests in that particular topic please call. We are in the next stage of trying to make some hiring positions within our department, filling Dylan's vacant position and we are adding a position to put Vevia's position back into our department

Calendar is brief you have Sand Ranch which is requested postponement until you October 12<sup>th</sup> meeting. I would have the Commission weigh in and provide their interests on sub-committee work. I will provide information to prepare you in that discussion. We may not have a meeting on October 26<sup>th</sup> meeting. We did get the application for Florence Golf their final PUD at the corner of 35<sup>th</sup> and Rhody. We have no less than 4 vegetation clearing permits to do more like what you are seeing at LCC. If the Planning Commission would like to see any of these, you have the right to call any of these up, these type II's you can call up for a public hearing. This is a work session item to see what the commission wants to see with these vegetation clearing requests.

The meeting adjourned at 8:04 PM.

**ATTEST:**

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Phil Tarvin, Chairperson

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Sharon Barker, Planning Technician

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**City of Florence  
Planning Commission Meeting Minutes  
250 Hwy 101, Florence, OR 97439  
October 12, 2021**

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

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

Commissioners Present: (VideoConference) Chairperson Phil Tarvin, Vice Chairperson Sandi Young, Commissioner John Murphey, Commissioner Eric Hauptman, Commissioner Andrew Miller.

Excused absence: Commissioner Ron Miller

Staff Present: (In House) Planning Director Wendy FarleyCampbell, Senior Planner Roxanne Johnston, FEC Manager Aleia Bailey, Planning Technician Sharon Barker

At 5:30 PM, Chair Tarvin opened the meeting, Sharon Barker did a Roll call. All members present. Chair Person Tarvin led the flag salute.

**1. APPROVAL OF THE AGENDA**

Start Time: 5:32PM

Action: Approved

Motion: Vice Chair Young

Second: Commissioner Hauptman

Vote: 5-0

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

**2. APPROVAL OF THE MINUTES: Minutes were not available at time of meeting**

Start Time: 5:32 PM

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

None were noted

No Speaker's cards were received nor public comments made.

Chairperson Tarvin relayed basic instructions regarding the proceedings and asked if any member wished to disclose a conflict of interest, ex-parte contact, or biases. None were declared. No citizens present wished to challenge any commissioner.

- 4. PC 21 25 VAR 03 – Sand Ranch Garden Center:** An application from Deacon Matthews requesting a variance to residential buffers for concrete display bins on an existing landscaping business. Property is located at 5351 Hwy 101, within the Service Industrial District regulated by Florence City Code Title 10, Chapter 31 Tax Assessor's Map 18121420, Lot 02100.

Chair Tarvin opened the hearing and called upon Wendy FarleyCampbell to deliver the staff report for this agenda item.

Farley Campbell: Before you this evening is an application for a Buffer Variance. Applicant is Deacon Matthews of Sand Ranch Garden Centers. This application was received July 8, deemed complete July 8, September 8, 2021 300' Property Owner notice was mailed and the property posted. September 11, 2021 media notice was published in the Siuslaw News, on September 28, 2021 PC postponed hearing at staff's request to a date certain of Oct. 12, 2021 because there was a problem with the site plan, problem was resolved. Hearing is being held 10/12/2021.

The Criteria was from 5 different chapters and are as follows: Chapter 1: Zoning Administration, Sections 1-4, 1-5, and 1-6-3. These are all procedural, and noticing requirements. Chapter 5: Zoning Adjustments and Variances, Sections 2,3, 4,6, and 7. Chapter 31: Site Design Criteria, the criteria for the Service Industrial District, Sections 4-C and 5-2-C. Chapter 34: The landscape chapter related to Buffering and Screening 3-7-D. Chapter 37: Lighting, Sections 2 through 5.

Variance Request: FCC 10-34-3-7-D: Buffer between industrial uses and residential districts or uses. 15' buffer with 6' solid wood fence or block wall or 35' landscaped buffer. The applicant is requesting a Variance to the required residential buffer criteria, these are not to be confused with the setback variance, there is a difference for buildings and not outdoor storage. The operations of the Sand Ranch Garden Center, have been moved around to accommodate the pending replat of this site as part of this change the western bins were moved to be more conforming, although they are still non-conforming but they are less non-conforming. The Northern bins were moved to be less conforming. This has to do with the site layout which we will show you. The code requirement for vegetation buffers and fencing etc., come from Chapter 34 and specifically you are looking at one of two options, that site would place a 15' buffer with a 6' wood fence or a solid wall, or you would be looking at a 35' landscape buffer, that are required from industrial uses and residential, there are different standards, depending on the type of residential that you abut, this particular project abuts a single family residence to the North, this use and the house have both been there together, it is just that the reorganizing of this site is what is triggering the look now, because the proposed northern buffer would become less, than what is already there. It is presently around 20' and it is proposed to move it, within 5' of the property line.

The site is located north of Munsel Lake Rd and west of HWY 101. An aerial photo of the site was displayed. Some of the bins have been relocated because they are putting in a street, now and others are shifting to accommodate the sites reorganization, the replat. There is a Quonset hut on the north property line and just south of that is a residence. The sites in this area, all annexed around the same time, they are largely the same as when they annexed in. The residence that is on the other property is on the north east corner of the property, there is a lot of other stuff going on, on this lot, but the actual residential building is in the north east corner of the property. Four specific Variance Criteria slide (Chapter 5) was displayed. In summary there are 4 different criteria, there is a 2a and a 2b and you pick from one of those. What we will be looking at is whether the situation on the site, does it result in a practical difficulty or is it a necessary physical hardship. Making sure what is asked for in the variance is the absolute necessary, to overcome the special circumstance.

Criterion 1: Site Layout – the buildings on this site are preexisting, this business has been going on in some fashion for quite some time, there is a single-family residence, as I indicated and a Quonset hut, they are both located on the service site, so in order to spread the garden center more to the east, you would have to move these buildings. The Planning Commission approved the 3 Mile Prairie tentative plan layout, and it created a realignment of this lot. That replating did create an irregularly shaped site, and this is that it is a little bit narrower on the west side, locating the Garden Center operations to the east part of this site, you know east of the Quonset hut and the house, is possible, but than the Quonset hut operations, in that area where there is parking and maneuvering area related to that site, and because that is also historically been a retail site, the sandboarding business has moved and now it is being used for the single family residence and the office for 3 Mile Prairie to the west, there is pedestrian traffic that would be with the garden center, truck and trailers loading and unloading.

Criterion 2: This has to do with what is happening that is extraordinary or exceptional on this site. The 3 Mile Prairie's tentative plan was recently approved, and the applicant's site has the proposed 53<sup>rd</sup> street to provide access to the big parcel that is being subdivided to the west, it will go east to west, they are also proposing to plat Oak Street, North and South and 12 feet of this property to the west is providing land for Oak Street. The placement of these two streets is what has created this narrowing of the upper left corner of the site, and the need for the variance. There is a new property line that is moving to the north, all the area north of 53<sup>rd</sup> Street will be Lot #1. The applicant has proposed to and has been moving bins from the site of 53<sup>rd</sup> Street, so they could start getting the street cut in, and putting in the utility infrastructure, and getting ready for the road bed, moving a lot of sand. He has also moved the office building; it has been relocated to be within the proposed lot line. Both need before and after slots for the storage area, they are moving the slots from the west property line a little farther to the east, to accommodate the right of way line of Oak Street, they will be moving some bins towards the north property line, now this looks like he is looking for a property line tight placement, but lot is slightly canted, he is looking for a 5' setback for these storage bins, and to add additional bins. The applicant's is one of 2 service industrial sites with an approved use, there are lots of other sites and they all contain houses on them. This is because they were developed in the County and they were residential, and when they were annexed, they were changed to service industrial. The site has approved uses on it, and it also has residences on it as indicated. The Garden Center is an approved use in the Service Industrial District. This site is undergoing a replat, one of the options could have been to take the circulation and have it exit onto Oak Street 50' from the intersection of 53<sup>rd</sup> and Oak, because one of the problems is that it is congested for emergency vehicles and delivery vehicles circulation, so that could have been an option except the Code and the Comp Plan policy asks that vehicular access is taken from the lowest classification of street, 53<sup>rd</sup> Street will be a local street and Oak Street is a collector, so for that reason the access points, by code, needed to happen onto 53<sup>rd</sup> Street, that doesn't mean that he couldn't have asked for a variance to locate his access on Oak Street, and that could be what you ask him to do instead. I think that the lesser of the two requests is the buffering from the residence on a parcel that is zoned service industrial land that is ripe for redevelopment. If that residence wasn't there this variance would not be needed.

Criterion 3: to see if there is a detriment to the public health, safety or welfare, or to determine if it would be materially injurious to grant this variance. The most eastern edge of the landscape bins, which is right behind the Quonset hut is approximately 226' to the corner of the house on the adjacent property, the most western corner of the approved residential structures. The habitation of this site is up near Hwy 101. Staff has found that the proximity is roughly a city block away, so having these bins is not going to be materially injurious to this residence or to anything on this site. The Sand Ranch Garden Center is greater than 300' from Hwy 101.

Criterion 4: has to do with, is the variance that is being asked the minimum that is necessary to address the special situation that is on the site? The applicant has requested, what would be a 10' variance to the 15' requirement on the northern property line. The schematics of the turning radius of a 50' semi-truck was shown, at various angles. Tony Miller is available if you wanted to ask him questions about this proposal and his emergency service vehicles. Truck and emergency vehicles need to get around and not clip the cement block storage bins.

To recap there were four criterion that needed to be found; we talked about the building locations and the lesser lot width with the previous approval. We talked about where the site is a preexisting allowed use in the Service Industrial District, it is only one of two sites in that situation. The site is currently going through a replat and moving their existing operations that have been there for years to accommodate the streets. The code does require a lesser street classification to be used. The situation of the uses is not going to be detrimental or harmful to the Northern site, both of these uses have already cohabitated for many years, not to the detriment to either, and their proximity is pretty far away. The 5' buffer provides adequate turning radius for the vehicles that would be visiting the site for either deliveries or emergency services needs.

A brief summary of the findings the staff found yes in all cases with the first one, staff could not find a reason to not require a wooden fence along the block area, while the distance might be accommodated, the wood fence should be required, I think you could, the applicant could plant arborvitae or laurel or something in that 5' to provide additional screening, if you felt it was needed. We did not receive any testimony on this project.



You have several alternatives; I will say that I have one go back, I recognized one edit that needs to be made, I excluded the lighting criteria and they are included in the Notice and the Findings in the list, but they were not included as being reviewed. Anytime you are requesting a Conditional Use or a Variance the site has to come up with complete compliance with the lighting code. I would ask that you add a condition to that affect, to be consistent with policy. Your alternatives for tonight are, you could approve the conditions of approval, as I mentioned in relation to the fence, lighting, you could add something else that you would like to add or take something out that you want to take out, and we will fix that on the resolution or you could continue the public hearing to a date certain. You could close the public hearing but leave the written record open. You could decide that the criteria have not been met on one or more of them. You could vote to not approve the Variance request. Do you have any questions?

Vice-Chair Young: How tall are the bins going to be? Is the fence taller than the bins?

FarleyCampbell: I believe so, he did include it in the record. He is using econo blocks, cement 2 ½ to 3' tall. Deacon is on the line and he will be able to answer that question.

There were no other questions from the Commissioners.

Chair person moved on to applicant testimony.

Applicant Deacon Matthews: In answer to your question Comm. Young, we are using 24" blocks on the back wall, we are using 3 of them on the back of my bins, that puts them right at 6' tall. The one question that I do have, is why are you requiring a 6' fence right next to a 6' solid wall. I don't really see the need for that, but if that's something that the Planning Commission needs, I could do it, but I just don't see the need, you know when there is a 6' solid wall 5' away from the property line. Aside from that, I agree with everything the staff report said. I have been in business a lot of years and I hate to lose the Sand Ranch Garden Center; the community relies on us; I have a lot of good loyal customers.

Chair Tarvin asked if there were any follow up questions for the applicant; there were none. Applicant confirmed that he read the staff report and the finding of fact, and that he understood the conditions of approval as proposed.

There were no comments or speaker's cards.

**Chair:** Now is the opportunity to discuss closing the public hearing and the written record. The Planning Commission may elect to close the public hearing this evening. If the Planning Commission has additional questions that it wishes to hear additional evidence on, the Commission may elect to either continue the hearing to a future meeting, or may close the hearing but keep the record open for a set period of time within which the public may submit written evidence and argument.

Does the Planning Commission or staff see any reason to continue the public hearing or hold record open to allow for additional testimony? There was none.

Hearing closed 6:14 pm

Applicant waived the right to submit final written argument.

Now is the opportunity for the Planning Commission to discuss and deliberate on the testimony and evidence concerning this item. Would any Commissioner like to discuss the item? There was no discussion.

Chair Tarvin: Would anybody on the Commission like to make a motion?

Comm. Murphey: I would like to make a motion to approve PC 21 25 VAR 03 Sand Ranch Garden Center buffering Variance to include the lighting that Wendy needs to change in the conditions of approval.

Andrew Miller: I'll second that motion.

Commission discussion:

Sandra Young: Does that include the fence? The motion does that include the fence?

John Murphey: Was the fence in the original conditions of approval as Wendy presented?

Sandra Young: It was the first condition, yes.

John Murphy: Then yes it does include it.

Chair Tarvin: Then we would have, it is my understanding, a new condition arising from our motion, which would be the updating of the lighting to the current code, therefore we must give the opportunity to the applicant to respond to the condition, should he choose to.

Chair Tarvin: Mr. Matthews could I get you back on line please?

Mr. Matthews: I am here.

Chair Tarvin: Mr. Matthews, we technically added a new condition, which would be the requirement to bring lighting to current code on the site, do you have any response or question about that?

Mr. Matthews: no, I will work with staff to see what the requirements are.

Chair Tarvin: thank you

Commission was polled:

Motion Carried 5-0 (Commissioner R. Miller excused absence)

Commissioner Andrew Miller: yes

Commissioner Eric Hauptman: yes

Commissioner Ron Miller: excused absence

Commissioner John Murphey: yes

Vice Chair Young: yes

Chair Person Tarvin: yes

Motion Carried: 5-0

Hearing opened at 5:37

Closed: 6:14

There were no Commissioner report or discussion items.

FarleyCampbell for Director's Report: The City did receive the planning assistance grant for the housing code updates, expect phase 2 round 2 of those. We are very happy to have been selected for that technical assistance, they have announced that it will be Angelo Planning that will be working with the Planning Commission, Council, and Staff on those efforts. I am looking forward to working with them on that. We haven't heard back on the master planning document. Council at their meeting last night did approve your recommendation for annexation

of the Anderson proposal and so that is done and we at this time we do not have another active annexation application, but there are some coming.

Calendar: We presently do not have anything that is complete and ready for hearing, we do have three type III applications, 2 of them going through completeness reviews. One is a tentative subdivision for Robby Wright out on Rhododendron, in the location of where you annexed that lot. We also have a final PUD for Florence Golf Links at 35<sup>th</sup> and Rhody. I suspect there will be a few more before the holidays. We have several vegetation permits and lots of Site Investigation Reports.

The meeting adjourned at 6:24 PM.

**ATTEST:**

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Sharon Barker, Planning Technician

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Phil Tarvin, Chairperson

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**City of Florence**  
**Planning Commission Meeting Minutes – Work Session**  
**250 Hwy 101, Florence, OR 97439**  
**November 9, 2021**

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

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

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

Staff Present: (In House) Planning Director Wendy FarleyCampbell, Senior Planner Roxanne Johnston, Administrative Assistand Peighton Allen, Planning Technician Sharon Barker

At 5:30 PM, Chair Tarvin opened the meeting, Sharon Barker did a Roll call. All members present. Commissioner Ron Miller led the flag salute

**1. APPROVAL OF THE AGENDA**

Start Time: 5:32PM

Action: Approved

Motion: Vice Chair Young

Second: Commissioner Ron Miller

Vote: 6-0

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

Chair Tarvin: The First Order of tonight and only order is the City of Florence 2021- 2023 Work Plan Review: I would like to start with Wendy Farley Campbell to give us a few opening remarks before we start our discussion on sub-committee selections.

Farley Campbell: Discussed Year One Work Plan for the 2021-2022 for the projects that were selected, these are the top projects that you thought the Planning Commission could work on this year. You picked 6 projects that the Planning Commission could work on.

1. Housing Efforts & Initiatives
2. Land Use Housekeeping Amendments – Commercial & Industrial
3. City Committees & Commission Coordination
4. Lighting Code Updates
5. Land Use Housekeeping Amendments – Stormwater
6. Land Use Housekeeping Amendments – Vegetation Preservation

The first one is housing, looking at all the various types of housing policies, housing code update, anything that could support more housing, affordable housing, anything that supports housing, we did a lot of work a couple of years ago, this first item is phase two of that project. This will be tackled in multiple ways, there are 3 Planning Commissioners that are on a sub-committee that is called a MUPTe, it is one of the items within this

particular project. The City of Florence did receive the Planning Assistance grant, it will tackle a lot of these items, I am meeting with the consultant that we will be working with to go over our workplan and to figure which are our priority projects that we think that we can accomplish within time constraints and the resources that are available. This particular project ends up being what ever ends up landing into the grants final workplan element. We will have a couple planning commissioners that will be assigned/volunteered to work on that particular project as part of the sub-committee, there will be other entities that will be involved ie...other subcommittees, nonprofits from the community that will be on the subcommittee review materials, there will be two planning commissioners that will serve on that as well. Phil has indicated an interest in short term rentals, with staff that is probably our number one priority, with regards to this housing initiative project to start next. We have Commercial and Industrial Code updates. There are Commissions and Committees coordination, where Planning Commissioners will serve as ex-officio members, that particular element will slide a few months because they are changing the timing of when Committees go thru recruitment, this particular item will not pick up until late Spring, that is item #3. Item#4 is lighting code update, the amortization period for the lighting code ends in 2023 so that is when all the lighting in the City is supposed to come up to current code. We have some changes that need to be worked on with regards to lighting level. The signs are not included, so maybe we could add them. There is other work that could be done in regards to the lighting code. Item #5 – this is storm water amendments, updating the Portland’s best managements practices, there is a Portland manual and then looking to see what they have updated. They have updated some things since we have updated ours, one of them is the plant spacing. This type of things makes it less expensive for developers to build. There are some others things, like checking the setbacks, it is really us looking at the spec sheets that Portland has and comparing them with what we currently have, and see what has changed. #6 Vegetation Preservation, I do not need to share with you the trouble it has caused in the past year with some interpretation issues.

Also a 7<sup>th</sup> project, I have added, there will be Commissioners that will be invited to set on that committee and that is the Transportation systems plan update. The City did get funded for that project, and we will be filling what is called the STACK it is an advisory committee, and there will be a couple of commissioners that we would hope to participate on the transportation systems plan. Maybe you are just interested in just transit or maybe you are just interested in the bicycle path, and you don’t care about vehicular or the airport, I am sure that you could stay for the part that you are interested in.

Chair Tarvin: Discussed the items one at a time, to see where the Commissioners would like to serve.

1. Housing efforts and initiatives Chair Tarvin is very interested in that committee but will help other places if needed.

Commissioner Murphey: I will not be volunteering for any of the committees, I just do not have any more time to give right now.

Commissioner Hauptman: I would be interested in the housing initiative, mostly in the affordable housing, that is what we are doing with the tax abatement, which is trying to make more affordable housing. I think possibly the City should think about maybe floating a bond or something, to finance affordable housing.

Commissioner Andrew Miller: I am interested in the housing efforts; short term rentals are an interest to me as well. I am also interested in the land use amendments update. I would be happy to work on any of those areas.

Commissioner Ron Miller: I won’t be able to volunteer for anything until I get finished with the job that I am on.

Vice Chair Young: Interested in emergency and transitional housing, we have quite a few non-profits going on in town, I think we need to catch up with them and figure out how we can figure out how to help them do what they are trying to do.

2. Commercial and Industrial Code updates:

Chair Tarvin: Wendy will you give us some clarification on this item? Is this included in some of the grants?

FarleyCampbell: I think so, one of the things, is how the housing code folded into the Commercial and the Industrial code. While it is housing it is still the Commercial and Industrial Code, so that aspect would be covered under the grant. The key thing for me, is if there was only one thing that got done would be the coming up with the additional architectural items that could be added to the list.

Chair Tarvin: Would it be beneficial if we could get a list together for you, to do some research on a list. Do any of the Commissioners want to work on the architectural detail issues.

Vice Chair Young: Is this where we would look at the North Commercial zone and contains the things that weren't in the code, and maybe adding some Main Street items to the downtown zone. I would be interested in those two things, more so than the architectural standards. I would be interested in making sure that the Main Street and the North Commercial look like Florence, and not Newport.

Commissioner Hauptman: not at this point.

Commissioner Andrew Miller: not particularly

Chair Tarvin: I will go ahead and take on the architectural details and Commissioner Young if you need any help with the other let me know and I will be happy to help you out with that also.

### 3. City Committees & Commission Coordination

Chair Tarvin: That is going to be later on, late Spring, we do not need to put any time towards that, but we need to be thinking ahead and pick up a few Zoom meetings and have some interaction between all those other committees, and commissions.

### 4. Lighting Code Updates

Commissioner Andrew Miller: no, not really, I don't know much about it, but I would be willing to volunteer where ever I need to though.

Commissioner Hauptman: I really don't know much about it, so I don't feel that I could contribute a lot.

Commissioner Young: It is not my ball game, but if you need a hand, I can help.

Chair Tarvin: I will also help out too.

### 5. Storm Water Design manual updates:

Commissioner Young: I have had some experience with storm water and will look at the plan and be of help.

Chair Tarvin: I will pitch in on that.

Commissioner Hauptman: I would be available; I have a little back ground in it but not a whole lot about stormwater.

Commissioner Andrew Miller: I don't have any back ground in it, but if you need someone, I'll be there.

### 6. Vegetation preservation code updates.

Commissioner Hauptman: I would be interested in to head off some of the disasters up front, where the developer has asked for forgiveness instead of permission.

Commissioner Andrew Miller: no particular interest.

Vice Chair Young: I would rather work on the TSP update, and leave the vegetation to someone else.

Chair Tarvin: I will throw my head in the ring on the vegetation preservation, in an assisting basis, maybe I can convince Commissioner Hauptman to take the lead on this one.

## 7. Transportation System Plan Update.

Vice Chair Young: I am interested in working on this one, having worked on the original one a few years ago.

Commissioner Andrew Young: Absolutely, I have more interest in working on this instead of the other ones.

Commissioner Hauptman: I do not know a lot about this, so I will have to pass.

Chair Tarvin: I do have some interest in varying phases in it so, I will throw my hat in to be an assist on this also.

Chair Tarvin: Wendy, it looks like I can put together a recommendation together for you for members that are willing to participate on it, would you like some timelines projected today.

FarleyCampbell: The next step would be to have this documented with the people, and over the next couple of weeks, staff can look at the calendar and call a meeting of the subcommittee members that are interested in participating on a particular project. We can get those meetings scheduled, in that meeting we will look and see what are we going to do here and have a course forward, what we think could be possibilities. That is what I think will be the next steps.

Commissioner Hauptman: Wendy, I have a question, how are these committees going to be structured? Is a staff member going to be basically going to be chairing these meetings, will they be setting up the agendas?

FarleyCampbell: I think that it could be anyway that is helpful. The Staff does not have to be a part of it at all. They do not have to be go2webinar, they can be over coffee, they can be over Zoom, the staff could set it up and attend or not attend and you guys can talk. We are here to support you though, we can admin and we could be there to set the agenda, set the meeting, help with direction. If you have professional requests, I'll help with that if needed. The whole point of a sub-committee is that you can work off line, if you will. I will say that some of these topics that EMAC may have an interest in helping on vegetation preservation, there could be other committee members that would come to the table. These are not formal, there is not a Chair and a Vice Chair necessarily, but it would be helpful if there was someone that was leading the committee, to help set the direction.

Commissioner Hauptman: I think the staff would need to take the lead, because you are so much more informed. Know what the objective is and how to make it happen.

FarleyCampbell: I have seen it done both ways. EMAC subcommittee, staff has never attended any of EMAC's subcommittee meetings. They do their work and come back, they are not doing policy related work, it is more community engagement type of work. I have also seen it when where staff, like with MUPTe where staff prepares materials for distribution or sets the meetings as well, whatever is more helpful.



Chair Tarvin: I think where lighting code, stormwater design update, that is more of a self guided tour once the materials are put in front of us, and we might get those from staff. Things like the short term rentals and other housing efforts that don't require some council action and some point in time will more than likely, I think it would be helpful to have staff involvement, just to keep us on the practical course of getting to our goal.

I will go ahead and set up a review of my own and I'll circulate that past you and we will compare notes and make sure that we have all the Commissioners that have agreed to serve.

Wendy introduced Peighton Allen, the new Office Administrator

Farley Campbell: On the calendar: Meeting on November 23, 2021 with one item the Florence Golf Final PUD on the corner of 35<sup>th</sup> and Rhody, it does have a new name though because they have decided on a name for their subdivision Rhododendron Arbor. The public record period is out for that we are starting to get testimony. You should expect to have a lot of material to read. For your December 14<sup>th</sup> meeting, we are leaving the opportunity for a continuance of Florence Golf because if anyone asks than we would have to extend that offer so we will keep that calendar date open, in case it is needed, or if you would like more time with it, we should have another 2 items for that particular meeting as well depending how their applications look for completeness reviews. We will probably have some work at the end of December as well. Another item is that the recruitment for replacing Commissioner has gone out if you know anybody that is interested, the position would be an in-city position, because the Commission is limited to two positions out of the City. The application is on the City's website. There is also a position open for an at-large position with the Urban Renewal.

Meeting Adjourned: 6:05 pm

The meeting adjourned at 6:05 PM.

**ATTEST:**

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Phil Tarvin, Chairperson

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Sharon Barker, Planning Technician

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

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

Chair Tarvin: Good Evening We are currently waiting for a quorum to assemble for the equitable statute of 15 minutes starting now it is 5:31 pm

Chairperson Phil Tarvin called the meeting to order at 5:33 PM.

Commissioners Present: (VideoConference) Chairperson Phil Tarvin, Vice Chairperson Sandi Young, Commissioner Eric Hauptman, Commissioner Andrew Miller.

Excused absence: Commissioner Ron Miller, Commissioner John Murphey  
Staff Present: (In House) Planning Director Wendy FarleyCampbell, Senior Planner Roxanne Johnston, Administrative Asst. Peighton Allen, Planning Technician Sharon Barker

At 5:33 PM, Chair Tarvin opened the meeting, Sharon Barker did a Roll call. 4 members present with Commissioners John Murphey and Ron Miller having excused absences. Vice Chair Young led the flag salute.

**1. APPROVAL OF THE AGENDA**

Start Time: 5:32PM

Action: Approved

Motion: Vice Chair Young

Second: Commissioner Hauptman

Vote: 5-0

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

**2. APPROVAL OF THE MINUTES: Minutes were not available at time of meeting they will be present for the December 14, 2021 meeting**

Start Time: 5:32 PM

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

None were noted

No Speaker's cards were received nor public comments made.

Chairperson Tarvin relayed basic instructions regarding the proceedings and asked if any member wished to disclose a conflict of interest, ex-parte contact, or biases. None were declared. No citizens present wished to challenge any commissioner.

Chair Tarvin: For our 4<sup>th</sup> Item on the Agenda

**PC 21 28 PUD 01 & AR 21 21 SIR 14 – Florence Golf Links:** Request for final PUD (Planned Unit Development) Resolution PC 21 28 PUD 01 final Planned Unit Development PUD and AR 21 21 SIR 14 Site Investigation Report application from Ashley Sorber on the behalf of APIC Florence Holdings LLC, seeking the approval of the final PUD and the associated SIR for Rhododendron Arbor, preliminary PUD and a tentative subdivision plan were approved on November 9, 2020. This project includes 31 single-family detached dwellings, 49 single-family attached dwellings, and two apartment buildings with 40 total units. Open Space includes a pavilion, picnic areas, seating, children's play area, walking paths, dog park, pocket gardens. The project contains a private street and lanes. The properties are comprised of approx. 9.28 ac. as shown on Assessor's Map 18121533 Tax Lot 0700; Map 18121534, Lots 3800, 3900, 4000, 4100 & 4200; & Map 18122221, Lot 1900, located at the NE intersection of Rhododendron Dr. and 35<sup>th</sup> St., northwest of Siano Loop and south of Royal St. George, zoned Mobile/Manufactured Home Residential District (RMH) & regulated by Florence City Code Title 10, Chapter 10.

Chair Tarvin: The applicant and staff have been working on the materials and have agreed that setting over the public hearing is in the interest of this process and will aid the Commission in having a more thorough and complete discussion at a later meeting. The applicant has subsequently extended the 120-day processing timeline set by Oregon Revised Statutes 227.178. This is presented into the record as Exhibit Q-9.

Do I have a motion to postpone the hearing for Resolutions PC 21 28 PUD 01 and PC 21 21 SIR 14 to the date certain of December 14th?

Vice Chair Young Motion

Commissioner Hauptman: Second

Commission was polled:

Motion Carried 4-0 (Commissioner R. Miller excused absence, Commissioner John Murphey excused absence)

Commissioner Andrew Miller: yes

Commissioner Eric Hauptman: yes

Vice Chair Young: yes

Chair Person Tarvin: yes

Motion Carried: 4-0

There were no Commissioner report or discussion items.

FarleyCampbell for Director's Report: A few quick updates, on November 29<sup>th</sup> the City Council will be holding their Public Hearing on the tax abatement the MUPTE that you reviewed at the work session that you had with Council, the joint work session, so that will be held for public hearing coming up on November 29, 2021. We will be looking at the standards and guidelines at the following meeting and most likely the MUPTE will be on a second meeting as well, for final ordinance reading. We received notice today that the City of Florence was not selected for the technical assistance grant that I applied for the Professional Office District, we were looking for a refinement plan for that particular area related to transportation and housing. I have been reviewing and

working with a consultant, Alta Planning, for a statement of work on the planning assistance grant and we have a pretty good draft and that has been submitted to the State for review and final touches. With regard to the TSP the proposal is off the Department of Justice's desk and sent back to the State rep for some finessing with the spread sheet, once the corrects are made the TSP will go back to the Department of Justice. We expect to be under contract the middle of December, and be issued our intent to proceed. The upcoming meeting meetings on this item on December 13<sup>th</sup>, 2021, Mike Miller and Myself will be giving a presentation to City Council on the TSP 101 overview on what that document is and what we hope to accomplish with our proposed update and at the meeting that night the Council will be looking to their stakeholder team advisory committee assignment for the citizen work group that will be working on the TSP.

We haven't talked about the Benedick appeal in quite some time, to give you an update the Oregon Coastal Alliance had filed two appeals one on the annexation and the other on the zoning assignment. The Land Use Board of Appeals dismissed the appeal for the annexation and ORCA has filed an appeal of LUBA's dismissal to the Oregon State of Appeals, we should know more about on the 29<sup>th</sup> of November. With regards to the zoning appeal, the appellate did file their brief with LUBA so now have it and Staff and Legal Council are reviewing, for filing the City's response on November 29, 2021. One of the appeals is settled and the other we are waiting to heard back on from LUBA for their final decision on the zoning assignment.

The Calendar: December 14<sup>th</sup> will be your next meeting, due to your decision and the request for postponement of the hearing that was scheduled for tonight, one of the items that was scheduled for that meeting on December 14<sup>th</sup>, I did make contact with the applicant, and they agreed to being moved to January and the other item we will be hearing is under escrow and they are really looking for a decision from you before they proceed with purchasing of the property, so we are going to have them on the same meeting night as the Florence Golf (Rhododendron Arbor). We are keeping the calendar available for the 28<sup>th</sup> of December in case we need to continue or if we need to keep the record open for the materials on December 14, 2021. Presently we are not scheduling anything for that specifically, but the date will be available if needed. On your meeting on January 11, 2021, you will have the annexation hearing some property that Dan Lofy has purchased on the North highway area, and also that evening you will be hearing Able Insurance building expansion. There will be other hearing for that later meeting in January as well.

Commissioner Hauptman: I have a question on the Florence Golf that we were supposed to hear tonight, I couldn't find anything that showed in the subdivision plat, which were the single-family units and which were the multifamily units on the plat, there was no designation that I was able to find or a unit mix, just an FYI.

FarleyCampbell: we will put up one of their site plans on the website.

The meeting adjourned at 5:47 PM.

**ATTEST:**

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Sharon Barker, Planning Technician

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Phil Tarvin, Chairperson