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City of Florence
Planning Commission Meeting Minutes
250 Hwy 101, Florence, OR 97439
February 28, 2023

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

PC Chair Sandra Young called the meeting to order at 5:30 PM.

Commissioners Present: IN HOUSE: Chair Sandra Young, Vice-Chair Andrew Miller Commissioner Eric Hauptman, Commissioner Laurie Green, Commissioner John Raleigh
Commissioner Kevin Harris (excused absence),

Staff Present: Planning Director Wendy FarleyCampbell, Assistant Planner Clare Kurth,

At 5:30 PM, Chair Young opened the meeting, Clare Kurth gave the Roll call. Vice Chair Miller led the flag salute.

1. APPROVAL OF THE AGENDA

Start Time: 5:31PM

Action: Approved

Motion: Vice Chair Miller

Second: Comm. Hauptman

Vote: 5-0

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

2. APPROVAL OF THE MINUTES: There were no minutes

3. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA:

No public Comments:

Chair Young 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.

Chair Young asked the Commissioners if they would like to declare a conflict of interest, exparte 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.

Chair Young: 4th Item on the Agenda tonight is a Public Hearing for **PC 21 39 SUB 03 and PC 21 40 PUD 02**

RESOLUTIONS PC 21 39 SUB 03 AND PC 21 40 PUD 02 –PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) AND TENTATIVE SUBDIVISION AND AR 21 21 SIR 14 (SITE INVESTIGATION REPORT). Continued from November 22, 2022, January 10, 2023 and February 14, 2023. Application from Joseph M. Pearson on behalf of Pacific Golf Communities, LLC, seeking approvals for a preliminary PUD, tentative subdivision, and associated SIR for Fairway Estates Phases 2-3-4 to develop the approx. 10.36 ac. as shown on Assessor's Map 18-12-15-00 Tax Lot 01500, located @ 740 ft. north of Tournament Dr. and east of Mariners Village zoned Medium Density (MD).

Hearing 5:38 pm reopened

Wendy FarleyCampbell, this application process started with the application received in November 2021, the first public hearing was November 2022 after the application was deemed complete. That hearing was continued to January 10, 2023 and then from there it was continued to February 14, 2023, you received a staff presentation at that meeting also, as well as January 10th, the February 14th meeting was continued to this meeting tonight. The continuances are because materials are submitted without sufficient time to incorporate into the FOF, some submittals are from referrals and not only the applicant.

FarleyCampbell explained the information in this meeting's packet. The items posted on Friday included the Findings of Fact, referrals, and public testimony. Referrals include Kittleson's response to the TIA consultant's response, Public Works comments on the utility plan, and comments on fire access, two from the Fire Chief and one from the City's building official. Public testimony was received from the HOA as Exhibit R12 requesting two items: adding pea gravel to tract "A" open space and fencing the perimeter.

FarleyCampbell proceeded through the power point showing the Phase 1 aerial photo, explaining the 2004 master plan approval for all of Sand Pines and the labeling Fairway Estates Phases I and Phases 2,3, &4 are all of what is known as C2 of the Sand Pines master plan. Next an aerial of phases 2-3-4 was shown and their proposal to develop in order clock wise starting from the bottom. Phase 2 at the bottom left then phase 3 in the upper left corner followed by phase 4 which extends down the eastern side next to the green. A layout for the tentative plan was shown that there are 41 lots, one open space tract, 3 streets, and perimeter open space. The streets are extensions of Caddington and Dunbar northward, and there will be a new street name on the Northern end that runs east and west. Open spaces are proposed as mentioned "tract A" which is located as the second lot down from the northeastern street intersection. There is a proposed open space of a 10' perimeter around the property they are proposing to count the open space as are the block separation walkways/multi-use paths and then also the access way in the upper East corner. The applicant's request for proposing "fee in Lieu" was explained.

A public testimony slide was shown and explained and, included additional comments, there are now have 12 sets of testimony some from multiple parties and some from the same parties. Concerns were

to require perimeter setback, there is request for the development for tract A with pea gravel and fencing the perimeter. There are concerns regarding the walking path and green belt location and quality, concerns that Phases 2-4 do not offer access to open space, bike trails, or nature trails. There were questions about the TIA data-intersections etc. TIA does not include daily trips for contractors and construction crews. Secondary Access, concerns about extensive removal of native vegetation and if the wetland areas have been addressed.

The new set of agency referrals from Kittleson were discussed and the additional comments from Siuslaw Valley Fire and Rescue and Exhibit P6 the City Building Official were also discussed. The comments from SVFR talking about secondary access that is required by the Fire Code D107, that once 30 single family residences are proposed secondary access is required or sprinkling the homes. The secondary access requires specific distance separation. Secondary access slide was shown and discussed showing where the primary and that just a 100' ft over or 200' at most is the secondary access that triggers the route down Royal St. George exit onto 35th St. The accesses are too close together to meet requirements to be separated by a diagonal distance of the development, which means the width of the diagonal distance of this development is how large a separation that it needs to be from the exit out onto Rhododendron Drive. The pan handle shape of the property makes it not feasible for distance between accesses, an option is to extend West along the City property to the North of the North property line and then to the West of the North orange line above Mariner's Village is property is currently City owned, it is not developed and the City does not have any plans proposed for development. To the East is BLM and County land, so the plans in the TSP is for right of way to extend from Rhododendron Drive to Oak Street or Hwy 101 or both through the northern edge of this property. That is a plan that is not available presently, one of the conditions that is written is that they provide these other fire measures until such time that this road becomes available and they may come available sooner or later, then they can resume back to standard construction process. The Fire Chief provided comments they are included as Exhibit D in the record and they are excerpts of code from the Fire Code D107, the D107 refers later to the OAR 198 and then there are exceptions to building standards that then take reader that we included in the same packet Exhibit D, the Oregon Builders Specialty Code Construction Standards, the building officials testimony that is provided as P6 takes you through how he got you to his determination, that determination is exclusively his to have as his managing supervisor because he is a building official, a contract building official the City is required to have staff to review his determinations and make sure that they are sound and that the City agree with them. We just got this today, while I recognize what he was probably going to write, I haven't had the opportunity to review it with legal counsel, and I would like that opportunity, he has determined that the installation, they need to either install fire suppression systems within the homes or installation of fire-resistant exterior wall coverings and roof components, because there are no standards for just fire protective roof cover and exterior wall covering and roof components, he has then taken the reader to the part of the specialty code that is R327 because this code is extremely concise, we went through with him last week and highlighted all of the elements, that takes the person that is constructing the home through each element of the home, the exterior walls, the roof, the soffits, any attached structures like garages, decks over 36" , and what elements of construction that needs to take place and then also what inspections need to take place. The code is very specific in what is required, and that is what Mr. Mortier was going after was specificity not just relying on the materials wrapper. Mortier has said that, that particular section of code is clear, concise and easily enforceable and without current deviation of the way houses

are currently being constructed, he said that both of these options will not result in additional inspection fees. If a determination is not wished to be followed than he would entertain the fire protection engineer coming up with a proposed alternative and that would be at the applicant's pursuit. Those were the referral comments.

FarleyCampbell went through the Conditions; there are 46 or 47 Conditions, the proposed Resolution is on the dais before the Commissioners. Conditions 4&5 are related to Parking, Conditions 6&8 are related to the Home Design, applicant is proposing modifications to the standards, PUD provides that opportunity, but some modifications require additional effort in the home design, Title 10 Chapter 6 will apply and they have to do with architectural design standards. Planning did not get drawings of the proposed homes. Condition 7 Special Dev. Standards a storm water covenant, basically saying that if the storm water system fails then it holds the City harmless. It puts the problem on the engineer that designed the storm water system. There is a history of high storm water in this area, the soils are of the kind that do not percolate very fast, so there is a possibility of a problem with storm water retention in the area. The applicant does have an engineered storm water plan which has been reviewed and should work just fine. Conditions 9-24 have to do with the Planned Unit development Chapter 23 this is a summary of all the that is included there is a condition related to modifications, because they are seeking modifications to the Code, they then need to provide 3 things, 1 is the architectural design that was already mentioned and they also have to provide additional recreation space at a minimum, so basically, that Condition says this is how you are going to meet these modification requirement items. The original master plan is included, perimeter tree planting and all of the open space perimeters, some of this may be new to the applicant because the 2004 approval was not reviewed for Phase I. This is coming from the 2004 Master revision that Meyers Group Architects did in 2004, and it included this, it was a carryover from 1992, which is the original approval. Tree perimeter planting used the City standards a 1 for every 30, because there wasn't anything specific in the Master Plan, 1 for 30 linear feet is City Standard, you want so that there is some uniformity in continuous coverage, you will also need to address what you are going to do about existing trees, (that can count, not count etc.).

There is also code about fire hydrant spacing, in Exhibit T the applicant did they that they provided an undated utility plan that indicates a hydrant every 500', this condition states that we think that the fire hydrant spacing is 500' but it is in fact in fire code it is closer than you will need to address that. We just want to make sure that things meet the fire code. There are several conditions related to Phase 4, vehicular and pedestrian way design width, the stem in the upper right-hand corner, that goes up to the open space, it just talks about the minimum width of the travel lanes, the required signage, demarcation, fire protection, keeping the fire lane clear; open space design, they have where they are going to be but what will they look like, amenities (what amenities are proposed), phasing, fee-in-lieu (the math for the fee-in-lieu is in the Findings of Fact; home renderings; street parking signage (what side of the street are you allowing parking on) ; phasing (where the PUD needs to be completed by), requirement for easement, how is it going to be platted just a lot of things and it is repeated in a couple of these sections, I may have over stated for this particular section but there are a lot of conditions related to the design element. If this hearing is continued, I can provide a drawing that is specific on a lot-by-lot basis where the fee-in-lieu calculations came from. Conditions 25-33 relate to utilities. Talk about undergrounding, the past approval master plan for 2004 Sandpines includes looping water to Phase C3, which is the next phase over on the other side of the green and this proposal is to continue that intent including water looping to that phase that will just run up to the City property and then

make a loop through the City property to the North beside the park area to the North will want some sort of water service, it is a public water system even though it is under private streets, there is requirements for sizing on that, protecting the hydrants from people parking next to them, making sure that they follow through with their state permitting, related to grading and filling, providing easements for utilities a minimum of 15' wide, making sure they are included on the plat, we also talk about final construction plans and standard drawings for things like mail boxes and the sidewalks and the various areas of the water and sewer utilities. Also, conditions related to, whenever you get to the end of the phase you have phase one and the next phase you have to make sure there is a turnaround for fire trucks and emergency vehicles, it can be a Y or a T and the applicant did include comments to that in exhibit T, they did address those comments. Condition 34 talks about lighting, what this means is lighting on the homes and within the pedways if it is in this requirement, they need to be full cut off or you can there are some exceptions that they need to meet residential design standards, there is a list of what they need to look like if they are going to be full cut off then what they need for the maximum number of lumens etc.

Conditions 35-40 has to do with access which includes driveway construction permitting, multi-use paths need to be constructed as, when I say multi-use paths I am talking about the ones that are qualifying as the block separation, we have maximum block lengths, 600' and the is when you are supposed to have a street, there is an option to not have a street in a PUD so they are opting for the multi-use path the less restrictive portion because they are meant to be a deviation, there is code that is required that the multi-use path needs to be paved, the cross ones that go East – West or just any of the ones that need to meet the separation standards need to be paved, they are the ones nature trail the pathway ones that are in the recreation area can be paved, gravel, or bark. Requirements for ADA construction also, that is multi-use paths and their connects with sidewalks. Staff thought that there was a need for some sort of demarcation to get to the nature path to the to get to the open space path, as the sidewalks are only proposed on the one side of the street. City standards are both sides of the street you can get one side of the street in just a standard subdivision if you got some issues with providing that, there are no issues with them providing it, you can get a PUD modification to only have sidewalks on one side of the street, sidewalks are not on the same side of the street as the block cut across it may be nice if there is a sign or something so that you can see it. This includes a Condition to do so. This is where the numbering problem came up, I jumped from 40 to 43, so those resolution numbers should change from 43 to 41 and then continue through to 47, and then those conditions are related to Fire Access Code, Phase 4 accessway-tract, figuring out what it is going to be , is it going to be right of way, common area, it needs a designation it is not a lot, will it be a tract, or will it be common open space area? ABCD whatever it is just needs most specificity of a way to reference that area. There is also a Condition related to the TSP improvements as mentioned, this is part of Phase C2 of the master plan and Phase 1 had the same requirement they are participating in the improvements to the multi-use path on Rhody Drive with will include widening and bike lanes etc. This is the next phase of that C2 , they have the same requirements as Phase 1, there is a Condition for their participation and a Condition concerning radii just including those on the plat, making sure they meet the code, including an affidavit of services on the plat and then what is the name of the plat and that street, we already know that they are sure that they are continuing the from Caddington Lane, which have already been approved by City Council to deviate from the City's naming convention, but the East/West street that was not have a

street name for that will have to go through that same process, if it is not going to be a numbered street it needs to be approved by the City Council and then finally CC&Rs.

There multiple alternatives that are available tonight. 1 Approve, based on the Commission' findings that the application meets the requirements of City Code subject to conditions. 2. Deny based on the commissions' findings that the application does not meet the requirements of City Code. 3. Continue the public hearing to a date certain and request the applicant extend their 120-day waiver. 4. Close the hearing and keep the written record open 7-days and holding deliberation on March 14th. 5. Close the hearing and hold deliberations on March 14th.

I am going to go back. In addition to the Resolution, you do have Findings that were provided to you this week and going through and copying and pasting the Conditions to make the Resolution, I found a couple of errors in the staff report and I want to point those out for the record. The first is on page 15 of the Findings in section 10-7-3 the development standard is for potential problem areas, there is a statement that says the City of Florence soils and the applicant's storm water management report illustrates Yaquina soils on the NE corner of the property, I would like to strike, applicant's storm water management report the NE corner of the, that is a carryover from another application. Page 18 that is where we are adding that Condition & that I have already presented to you, about the covenant for storm water plan. Page 27 there is a statement that I did revise this Condition 2 it is Condition 12, it says the plat shall include narrative language that specifies that duel vehicular or pedestrian purpose of this 20' wide open space area, that is the Phase 4 access area way up in the corner, the problem with that is the 20' statement, it is not wide enough, the minimum aisle width is 18' for the 2 way traffic and then the walkway needs to be an additional amount, basically 20' is not going to work, I will need to revise that, I am suggesting 20' wide, so it will say the purpose of this open area. Page 50 underneath subsection C, it says minimum fire access width is 16' paved and 20' total that is incorrect it is 18', 20' total available. Page 69, it says at the top lane B is not labeled on sheet C4 it should have been deleted that was from Rhododendron Arbor that includes my edits.

There are several alternatives available; The applicant's representative Jed Truett of Metro Planning did at 1:30 this afternoon request a continuance of this meeting so that they have the opportunity to adequately prepare for tonight's meeting, they did get the Findings as you did, you might want to have more time with them as well, but they did not get the resolution until today. The Conditions were in the Findings but as your self-experience you have to actually have to go through the whole set of Findings to see all the conditions. The have requested the continuance, I believe they said they will waive the 120 days but they did not give a date certain. There email said they will happily grant an extension. You can continue on with the hearing and hear any testimony and I will come up with a date certain for the Commission.

Chair Young asked if there were questions of staff.

Comm Green asked when we are talking about planting trees is there a minimum size?

FarleyCampbell said that her Findings did not have that specificity but that the City does have standards in Title 10 Chapter 34 related to planting height and width, so if you plant deciduous you are looking at a minimum caliper point of 1 ½" at 4' dbh, if you are looking a conifers you are planting 5' height. We could modify that condition to "according to the standards and code" 50:22

Chair Young asked in Condition 10 it says the trees will be planted on the outside edge of the 10' open space, that is the perimeter one, so they would be on the boundary between the open space path of this this development and Mariner's on the boundary so they would provide some sort of a screen for Mariner's Village, maybe? FarleyCampbell said they will be on the outside of the pathway.

Chair Young: about that dual pathway business the part that is driveway and a sidewalk, it would seem to me that the sidewalk would count as part of the open space system but not the driveway part, it is not clear whether we are doing that, or not but maybe that is not practical but we don't normally count driveways as an open space.

The plat does not show a hammerhead at the end of the whatever fire turn around that they are using, I presume it is a hammer head, but it doesn't show that, and that would make some difference in the size of the lots. At the end of that dual pathway, there is a turnaround, the applicant is not showing that here at all. I presume it is going to be a hammerhead but that would definitely make a difference in the lot sizes. Because a hammerhead to turn a ladder truck would need a pretty good size hammerhead. FarleyCampbell I am not sure if Exhibit T was not that specific in what they were going to use in that instance. Chair Young thinks that if they know they should show it. FarleyCampbell said that it will also need to be in the easement also. Chair Young it doesn't sound like they are going to necessarily require lighting on the pathways but if the lots are all going to be fenced, we probably should require lighting on the pathways. FarleyCampbell said that she is pretty sure there is a requirement in the code that the pathways, the cut across pathways are required to be lit. As far as the open space pathways that would be the Commissions call to require. Chair Young she was thinking bollards not street lights. Comm Green says that she does not think the other trails in town are lit. Chair Young said that she knows this but that most do not have fences on both sides of them. Chair Young said that for safety there should be some kind of lighting back there. FarleyCampbell said at least where the paths cut across and maybe up in the corner. We kind of have to think that in the future when the City property is developed. Chair Young said that she is thinking of safety. Chair Young said that Condition 37 should say Oak St and not Oaks St as an edit. Condition 40 it says walkways and multi-use paths shall conform to applicable ADA, I think ADA requires a fairly firm surface, is that what you are saying in Condition 40, it has to be wheel chair accessible if it is ADA. FarleyCampbell said that she will have to check the source to see where that came from, but for sure I meant the East/West lots multi-use paths, that there are two different things going on here, the block separations, which are required to be paved and then the open space wet trails which are not required to be paved unless you ask them to be paved. Chair Young do we want them to be ADA compliant. FarleyCampbell said that she believes the Public Works spoke to that, but if not here than perhaps at a pre-app meeting, the recreation trail does need to be constructed to recreational standards. It just means some sort of hard pack. Condition 36 we talk about point of turn radii. On the findings there were a lot of discussion about the corner radii and there being some fairly serious issues with being able to meet that, has the applicant revised their plans yet to do that, it is not clear from this Condition, it just says they have to, but can they do it? FarleyCampbell says that because of the shape of the lot and unless they just redesign and go straight up, the one on the right does not meet corner turn radii, the one in Phase 4 that angle is too sharp. Chair Young so if that is going to take a redesign to meet the radii, we would delegate that to staff, we don't need to see that, that would be something you would see on the final PUD. FarleyCampbell they will either permit it as a modification to a PUD or have the applicant fix the plat. The applicant included in Exhibit T, they talk about their knuckles and their elbows. The previous approval, the Sand Pines Master Plan, C2 in total had around 40 lots and that is for

all that you are looking at tonight and Phase 1, so the applicant is proposing double the density then what was proposed in the Sandpines Master Plan 2004, then C3 had all also about 40 lots, the original plan configuration in 2004 of this and the lower lot was one singular cul-de-sac to avoid a long cul-de-sac they built this looped road. In doing so this is when you have a weird shaped lot this is what come up. The Commission can ask for a redesign or you can permit it as a modification. Chair Young says that as long as it is safe and the police and fire are ok with it, that is the important thing. FarleyCampbell said that she will have them respond to that question. Chair Young said if it works that we can do the variation to the PUD but if it doesn't work than they may have to redesign. PUDs allows this without variances.

Chair Young asked the applicant if they would like to say anything about what they just heard.

Joseph M. Pearson, applicant, he said that he was unable to hear some things but that he had a couple items he would like to address, he asked about the ADA requirements on these pathways going between the subdivision. Chair Young explained that she was speaking to one of the Conditions in the Findings and Resolutions which made, she was asking what that meant in detail. Mr. Pearson said that up until this moment, he also ways thought and as what was completed in the first phase that they would be very similar with what was done in the first phase. He plans on using bark chips on the path, it is not a deal killer for them but, they can certainly pave those, but now the question is that he is not sure of all the ADA requirements. Chair Young said that his representatives will know all that, and it doesn't necessarily mean paving, there are some kind of bark surfaces that are ADA compliant. Pearson said that one of the things that comes to mind is, we do have sidewalks throughout the subdivision, and would like to know if it is necessary to have addition sidewalks going across the subdivision, the cross sections that are going are meeting with nature paths that are also bark chips. Chair Young asked if the applicant is saying that the trails should not be available to people that need some sort of assistance. Mr. Pearson says that he does not think that wheel chairs would be able to make it to the nature trails. Chair Young said that since applicant has requested a continuance that he should talk to his staff and find out how they think that all that can work. Mr. Pearson asked regarding trees, they got the Findings of Friday and they have read over the weekend, with regards to the alternatives for secondary access and sprinkler homes, the Chief gave them a code that showed them the alternatives, we have looked at the alternatives and we have gone through that a they think that they are going to be able to go along with that, however there is a part that he is confused on the reference rules #629-044-1060 and 629 044 1085, they are saying that 629-044-1085 refers to fuel break requirements, he wrote to the Chief to say that he is not sure that he understands it correctly, do they need a 30' break around the whole property? He thinks that has been answered tonight, that no they do not. The part that is confusing to him is that if there is worry about fires and secondary access, why would they want to plant trees in an area right now that has 10' separating City property which has the most foliage on it, to the back yards of their lots, most have 20-25' back yards, they are pretty close of 30' of fire break. Why would they plant trees along there when they are trying to have a fire break? The radii that are being talked about must we modify or have a redesign of the subdivision; he would like to know how far off are they. Chair Young said that they will find that out for next meeting. Mr. Pearson said that he is sure that there will be some other things that they would like to figure out.

There were no additional questions from the Commissioners.

There was no public testimony.

Farley Campbell said that she will go through the Findings and the Resolutions to see that they are super clear on we are talking about a multi-use pathway, or a multi-use trail. She did review the ADA requirements on Condition 40 and that is specific to sidewalks and access ways, an access way includes a multi-use path and sidewalks and they have to be paved, multi-use paths are defined as 8 or 10' paved paths, the East/West paths create the blocks separation, they are required to be 8-10' paved width minimum they are not bark because in order, if you look at the block criteria the maximum of 600 linear ft you can do a road a street or you can do an access way and the access way includes the definition of a multi-use path, which is the paved element, the East/West paths are not (inaudible), the perimeter is not a multi-use path, unless the applicant wants to do a multi-use path, but that is not what is purposed. Mr. Pearson was asking what the angle is, that the intersection angle cannot be less than 80 degrees and the one on the right is not within the criterion.

Mr. Pearson there was one other thing that he heard mentioned up here regarding lighting on the nature trails, he really questions the need for lighting along Mariner's Village and along the northern path, he finds it difficult to believe that people would be walking along those paths at night.

FarleyCampbell had one more go back, the perimeter setback in the 2004 and the 1992 approval said that the perimeter setback said it would not be open space, it wasn't conditioned to not be open space but that was their approval, that it would not count as open space. The code says that the perimeter area, it is not restrictive language but it is prescriptive that it doesn't count. The applicant is purposing for it to count, FarleyCampbell know that it is an old section from back when we didn't have recreation criteria, what they were trying to do is avoid big long sections of strange open space, and people would then actually provide useable open space, she thinks the applicant is proposing usable open space, for her recommendation she would say is that it meets the intent of the code. For the perimeter path to count as open space, because it has the path, if it didn't have the path then that would be another question. She brought it up because some of the adjacent property owners have testified that they would rather the path not be there. That is a decision point for the Commission.

There were no further questions from the Commission.

The Chair asked if the Commission wanted to go into deliberations or have a motion to continue the hearing as the applicant requested.

FarleyCampbell, the next meeting is March 14, 2023 which means staff would request an extension of the 120 days to May 1st.

The applicant is willing to extent the total time to May 1, 2023.

Since there is no discussion, the Commission made a motion to continue this hearing to March 14, 2023.

Staff said that the Commission could close the hearing an keep the written record open.

Vice Chair Andrew made a motion to continue Resolution PC 21 39 SUB 03 and PC 21 40 PUD 02 Preliminary Planned Unit Development and Tentative Subdivision and AR 21 21 SIR 14 Site Investigation Report to March 14, 2023.

Second: Comm. Green

Roll Call:

Chair Young: yes
Vice Chair Miller: yes
Comm Raleigh: yes
Comm Green: yes
Comm Hauptman: yes

Motion carried: 5-0

Hearing was continued at 6:49pm

Chair Young: 5th Item on the Agenda tonight is a Public Hearing for PC 22 19 ANN 03 and PC 22 20 ZC 03

RESOLUTIONS PC 22 19 ANN 03 AND PC 22 20 ZC 03 – ALISON MYERS 1ST AVE. STREET ANNEXATION

AND ZONE CHANGE: a petition from Alison Myers to annex approximately 0.15 acres of property and apply a City of Florence zoning designation to annexed lands. The property is described on Assessors Map No. 18-12-04-42, Tax Lot 05900 and located in Block 15, Lot 5 of the Heceta Beach subdivision at the northeast corner of the intersection of Foul Weather St. and 1st Avenue. Public rights-of-way of approx..30 ac. is also proposed to be annexed and zoned MDR and is at located at 1st Avenue from Kiwanda St. to the intersection of 1st Avenue and Foul Weather St.

Hearing opened: 7:06

Johnston presented staff report and explained noticing requirements and various criteria used. February 17, 2023 media notice was posted. Criteria from the ORS was listed; OAR statutes were listed. Comprehensive Plan criteria was listed: Urbanization 1-7. FCC Code Criteria was listed. Aerial of annexation area was shown, and the sewer main location was also pointed out and that the right of 1st Avenue to Foul Weather St. will also need to be annexed into the City. Johnston pointed out properties that were recently annexed nearby. Tax map was shown. Proposed zoning assignment of medium density residential was shown and explained the maps. The Planning Commission will possibly make the recommendation to the City Council tonight.

The applicant wants to develop the property and in order to do so will have to have access to the City's sanitary sewer system, because they are not allowed to have septic within 300' to the main sewer line. Findings are Exhibit A in annexation packets. There are 2 Tracts, Tract 1 and Tract 2, Tract 1 is Alison Myers property, Tract 2 is Right of Way. The right of way is not under City jurisdiction, that may come at a later time. There was no public testimony received. In Exhibit E, a referral comment from Public Works, said that the applicant is to provide SDC fees and some costs of extending sewer from Kiwanda St. ROW to ROW in 1st Ave. Applicant will also need to install a small package pump system, and that the City has adequate sewerage capacity. Sewage capacity calculations are in the Findings, Exhibit E has an email string from Public Works Director explaining SDC fees. Water source will be Heceta Water applicant will need to work with them to find out about connecting to their system. Access will be 1st Ave. we are not requesting annexation of Foul Weather St. at this time. There could be in the future City water. Future development costs will be covered by system development charges. They will have City Police coverage. Property will still be covered by fire and Western Lane Ambulance. The petition was 100%, representing more than half of the majority, she discussed, as pointing out the triple-majority rule on the slide. Tract 1 falls under this, in the City Code it has the ability to annex property within the urban boundaries in order to access the utilities in the streets. There are no Conditions of

Approval required on this type of application. Alternatives provide a recommendation to City Council, deny, or give a different zone recommendation. Staff recommendation is to provide a recommendation supporting the annexation and zone assignment to the City Council as presented or with modifications.

Questions:

There were no questions of staff by the Commission.

The applicant was not available, but since this was a recommendation to the City Council the applicant will have another opportunity to address any questions or comments she may have, at the Council level.

Comm. Green asked on annexations on adding compacity on sewer lines. She wanted to know about the patch work annexation of lots and infrastructure in the area. She wanted to know how other properties are added to the sewer system.

Comm. Hauptman: Wanted to know if the State sets how annexation are requested or is it how the City that determines how they handle annexation.

Chair Young answered that the City has decided to not be aggressive with annexation, so it is up to individual property owners.

Staff mentioned that this annexation would open up the opportunity for my annexations in that area.

No verbal public testimony.

Chair Young asked for recommendation one more time.

Johnston recommended Alternative #1, that it gets sent to City Council as presented. Staff does not recommend any modifications.

Record was not continued and record was not left open.

Hearing closed 7:29 pm

Motion by: Comm. Green to approve PC 22 19 ANN 03 and PC 22 20 ZC 03

Second: Comm. Hauptman

Comm. Laurie Green: yes

Comm. John Raleigh: yes

Comm. Hauptman: yes

Vice Chair A. Miller: yes

Chair Young: yes

Comm. Kevin Harris: excused absence

Motion Carried: 5-0

Hearing Opened: 7:06

Hearing Ended: 7:29

Reports and Discussion Items:

- Comm. Green mentioned that she heard radio spot about the Home and Garden Show on March 3, and 4 at the FEC. Staff said that the Building Department will be having a table there and that Jeremy Austin and Eric Rines will be there staffing the table.
- Comm. Hauptman asked if the Transportation Committee is taking into account the number of residential developments that Council has approved along Rhododendron, because there are a number of new units that have been approved for that area.
- FarleyCampbell announced that there is a virtual TSP that is airing tonight and it can be found on the website.

Directors Report and Discussion Items:

FarleyCampbell: On March 1, 2023 at 3:00 – 5:00 is the 5th and final Housing Stakeholders Advisory Team meeting the materials are on the website. There are a couple of dates that are being looked at for TSP and the housing code updates, proposed dates are 4/10 and/or 4/11 2023, if there are no meetings that day PC would have a work session with the City Council. There may be another time in July that is available. Kurth said that the TSP joint work session dates are April 7, 2023 at 8:30am with the hope and it is the second week of July for the 2nd work session, possibly 7/11 at 8:30am. There is going to be a TSP STAC meeting on the 29th of June for a pre-work session meeting. The April meeting is already on the calendar. There is a land use training that is being offered to the City Council and the Planning Commission that will be hosted in the City Council chambers in the evening, an informational email will be sent.

Calendar:

March 14, 2023 will hear the continuance of Fairway Estates PUD and there is a possibility that on March 28, 2023 we could have a work session on the vegetation preservation. Staff spoke regarding IPad's if you have an IPAD and you use it, keep it, but if you don't use it, you can bring it back. If you need some help on how to you use, bring it to next meeting and Les Cardwell will be there to teach you how to use it and find your City email. Kurth said that she will send a link regarding public records. The Recorder may do her required yearly training on 3/28th also.

The meeting adjourned at 7:52 PM.

ATTEST:

Sharon Barker
Sharon Barker, Planning Technician

Sandra Young
Sandra Young, Planning Commission Chair