

**CITY OF FLORENCE PLANNING COMMISSION**  
**July 25, 2017 \*\* MEETING MINUTES \*\***

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

Chairperson John Murphey called the meeting to order at 7:00 p.m. Roll call: Chairperson John Murphey, Vice Chairperson Robert Bare, Commissioner Clarence Lysdale, Commissioner Michael Titmus, Commissioner Sandi Young and Commissioner Ron Miller were present. Commissioner Brian Jagoe was absent and excused. Also present: Planning Director Wendy FarleyCampbell, Associate Planner Glen Southerland and Admin Assistant Vevie McPherren.

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**APPROVAL OF AGENDA**

Commissioner Miller motioned to approve the agenda. Commissioner Young seconded. By voice, all ayes. The motion passed.

**APPROVAL OF MINUTES**

Commissioner Lysdale motioned to approve the minutes of June 13 and June 27, 2017. Commissioner Miller seconded. By voice, all ayes. The motion passed.

**PUBLIC COMMENTS**

*This is an opportunity for members of the audience to bring to the Planning Commission's attention any items **NOT** otherwise listed on the agenda. Comments will be limited to **three minutes per person**, with a maximum time of 15 minutes for all items.*

There were no public comments.

**PUBLIC HEARING**

*Chairperson Murphey announced there were two public hearings before the Planning Commission that evening. The hearing would be held in accordance with the land use procedures required by the City in Florence City Code Title 2 Chapter 10 and the State of Oregon. Prior to the hearing(s) tonight, staff will identify the applicable substantive criteria which have also been listed in the staff report. These are the criteria the Planning Commission must use in making its decision. All testimony and evidence must be directed toward these criteria or other criteria in the Plan or Land Use Regulations which you believe applies to the decision per ORS 197.763 (5). Failure to raise an issue accompanied by statements or evidence sufficient to afford the Planning Commission and parties involved an opportunity to respond to the issue may preclude an appeal of this decision based on that issue. Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval without sufficient specificity to allow the Planning Commission to respond to the issue that precludes an action for damages in circuit court. Any proponent, opponent, or other party interested in a land use matter to be heard by the Planning Commission may challenge the qualifications of any Commissioner to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a Commissioner's bias, prejudgment, personal interest, or other facts from which the party has concluded that the Commissioner will not make a decision in an impartial manner.*

Chairperson Murphey asked if any of the Planning Commissioners wished to declare any conflicts of interest, ex parte contacts, site visits, or bias. There were no challenges. Chairperson Murphey opened the public hearing at 7:06 p.m.

**RESOLUTION PC 17 17 MOD 02 – Boys & Girls Club Modification to a Conditional Use Permit:** An application from John Aaron, Project Manager, on behalf of the Boys & Girls Club of Western Lane County, requesting approval to modify the orientation of a modular building and pedestrian access previously approved by Planning Commission, Resolution PC 16 25 CUP 07 in 2016 on the property located at 1501 Airport Road. The site is located at the south end of Miller Park and near the 15<sup>th</sup> Street and Airport Road intersection, Map #18-12-27-10 Tax Lot 00300 in the Multi-Family Residential District regulated by FCC Title 10 Chapter 13.

PD FarleyCampbell presented the staff report that included the request to change the orientation of the originally approved building, carport, and breezeway. She noted the proposed two-phase construction for the breezeway and the metal structure carport. She added that the proposed location of the carport did not meet the 15-foot, residential buffer criteria. She stated that the code required the proposed gravel walkway to be approved surfaced material and include a separation with a raised curb. She recommended that the original January 2017 approval date be pushed out to July 25, 2018. She also recommended changes to Condition #5 regarding the previous requirement language to cover the ADA/entrance door to avoid possible confusion. PD FarleyCampbell concluded staff recommended approval with conditions as stated (see attachment).

**Applicant – Chuck Trent, Previous Executive Director & Board Member, Girls & Boys Club of Western Lane County**

**Applicant – John Aaron, Project Manager, Boys & Girls Club of Western Lane County**

Mr. Trent stated they accepted the conditions of approval. He indicated the residence that abutted the west side of the property had a fence that included a four-foot encroachment on to their property that impacted the set-back criteria. Mr. Trent continued and said that they wanted to avoid the need to ask the neighboring residence to move their fence and requested that the Commissioners approve a variance to an 11-foot buffer to meet the requirement.

PD FarleyCampbell stated that FCC 10.34.3.7.D allowed the opportunity for Planning Commission to reduce the setback requirement if they agreed that a lesser amount would be adequate.

Chairperson Murphey asked Mr. Trent if the ADA access on the new building was primarily for emergency use and he replied that was correct. Mr. Aaron added that it could be demarcated with an awning and covering for the egress. Vice Chairperson Bare asked if the property pins had been located. Mr. Trent replied that 3 of the 4 pins had been located however, the pin at the northwest corner appeared to be removed and had not been replaced. Commissioner Lysdale requested clarification regarding the encroachment of the fence. Mr. Trent explained the encroachment and how they had debated to request that the neighboring residence remediate the fence. He added that they felt it would not be the best thing to do from a community relations perspective. He concluded and stated they would appreciate the four-foot variance but, would honor the decision made.

There was brief discussion of the 15-foot buffer specifics and PD FarleyCampbell stated they consisted of a fence and vegetation plantings. Commissioner Lysdale questioned the timeline regarding adverse possession and Mr. Trent indicated the time period had not yet expired. He explained the positive relationship with the neighboring residence and how they preferred not to have to write a letter to protect the encroached property. Vice Chairperson Bare requested clarification of the exact encroachment without the determination of the northwest pin. Mr. Trent stated the location of the other 3 pins had been determined, based the assumption that the Miller Park fence was in the correct position, they were able to determine the four-foot encroachment.

Chairperson Murphey asked the applicant if they read the staff report, understood, and agreed with the conditions of approval as proposed and Mr. Trent replied that he did.

There were no proponents, opponents, or neutral parties.

PD FarleyCampbell noted that the code did not address encroachments rather, stated the buffer was to be maintained immediately adjacent to the residential property line. There was brief discussion regarding the details of the applicant's proposed location of the carport and 15-foot buffer variance request. PD FarleyCampbell said that staff recommended approval as presented in the staff report and that it met FCC criteria with conditions of approval as listed.

Chairperson Murphey closed the public hearing at 7:30 p.m.

Vice Chairperson Bare stated that he would like to see a condition added that would require the applicant to locate the last property pin on the northwest corner. There was Commission discussion regarding how the exact property confirmation would be satisfied, the encroachment would be determined, and how the modified setback would look in relationship to the location and possible shift of the new building. PD FarleyCampbell recommended adding Condition #11 that stated, "The northwest property corner shall be surveyed prior to building permit issuance." She continued and clarified that if the 11-foot buffer was approved by Planning Commission, that would place the fence 7 feet from the carport wall. She stated that her recommendation was still as previously stated. There was additional Commission discussion regarding the language of the request.

Commissioner Lysdale motioned to approve Resolution PC 17 17 MOD 02 – Boys & Girls Club Modification to a Conditional Use Permit with the addition of Condition #11 stated by staff. Commissioner Miller seconded.

The applicant accepted the new Condition #11.

By roll call vote: Commissioner Miller, "yes"; Commissioner Titmus, "yes"; Commissioner Young, "yes"; Vice Chairperson Bare, "yes"; Commissioner Lysdale, "yes"; Chairperson Murphey, "yes". Commissioner Jagoe was absent and excused. Motion passed 6-0.

**RESOLUTION PC 17 15 ANN 01:** To consider a request for annexation of 05516, 05516-1 and 05518 North Fork Siuslaw Road, Map# 18-12-24-32, Tax Lot 02100 and abutting North Fork Road. The property is located west of the Munsel Lake Road and North Fork Siuslaw Road intersection within the Urban Growth Boundary.

**RESOLUTION PC 17 16 ZC 01:** To consider a request to zone the property to the corresponding City of Florence Zoning: Restricted Residential.

Vice Chairperson Bare declared a site visit. There were no challenges.

Chairperson Murphey opened the public hearing at 7:41 p.m.

AP Southerland presented the staff report and noted that there were no other properties in the area that had not annexed and so no standard invitations were sent to surrounding property owners. He stated that the property was currently F2 Impacted Forest in Lane County, three addresses were associated with the property, but only one single family residence was located onsite. AP Southerland stated that SVFR had no concerns and that Lane County Transportation Planning reported they had no concerns but, requested they be kept informed. If there was any development of the property prior to the adjacent ROW being turned over jurisdictionally to the City that development would need to conform to Lane code standards for access. He concluded and stated that staff recommended approval to the Florence City Council for the annexation and zoning of the petitioner's property (see attachment).

Commissioner Young questioned the configuration of the street to be annexed (Exhibit A) and AP Southerland noted the configuration would be corrected.

**Petitioner – Marvin Tipler, on behalf of Merle Tipler**

Mr. Tipler indicated that their intention was to partition the property in to three properties as soon as the annexation and zone assignment was approved by City Council and then to build a new single family residential.

There were no proponents, opponents or neutral parties.

Chairperson Murphey asked the petitioner if they read the staff report, understood, and agreed with the conditions of approval as proposed and Mr. Trent replied that he did.

AP Southerland said that staff recommended approval to City Council for annexation and zoning assignment of the petitioner's property to the City of Florence and the corresponding Restricted Residential Zoning District.

Chairperson Murphey closed the public hearing at 7:51 p.m.

There was no Commission deliberation.

Commissioner Young motioned approval to recommend RESOLUTION PC 17 15 ANN 01 to City Council with the change to Exhibit A. Vice Chairperson Bare seconded.

By roll call vote: Commissioner Titmus, "yes"; Chairperson Murphey, "yes"; Commissioner Lysdale, "yes"; Commissioner Young, "yes"; Vice Chairperson Bare, "yes"; Commissioner Miller, "yes"; Commissioner Jagoe was absent and excused. Motion passed 6-0.

Vice Chairperson Bare motioned to recommend RESOLUTION PC 17 16 ZC 01 to City Council. Commissioner Miller seconded.

By roll call vote: Commissioner Miller, "yes"; Commissioner Titmus, "yes"; Chairperson Murphey, "yes"; Commissioner Lysdale, "yes"; Commissioner Young, "yes"; Vice Chairperson Bare, "yes"; Commissioner Jagoe was absent and excused. Motion passed 6-0.

**PLANNING COMMISSION DISCUSSION ITEMS**

There were none.

**CALENDAR**

PD FarleyCampbell reported the details of the next HEOP meeting scheduled for August 1<sup>st</sup> at the Florence Events Center and the upcoming public survey that would be open until August 18<sup>th</sup>. She said the next Planning Commission Meeting would be August 22, 2017 and still located at City Hall.

Chairperson Murphey adjourned the meeting at 7:58 p.m.

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Chairperson, John Murphey  
Florence Planning Commission

\_\_\_\_\_  
Date

## Boys & Girls Club Modular Placement & Accessory Expansion

PC 17 17 MOD 02



## Introduction

- **January 10, 2017** – CUP approved
- **June 20, 2017** – Application received
- **July 5, 2017** – Notice mailed & Referrals sent
- **July 19, 2017** – Published in Siuslaw News

• PC 17 17 MOD 02 Boys and Girls Club

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## Applicable Criteria

### Florence City Code, Title 10, Chapters:

- 1: Zoning Admin, Section 1-5
- 3: Off-Street Parking and Loading, Sections 2 through 5 & 8 through 10
- 4: Conditional Uses, Sections 3 through 11
- 6: Design Review, Sections 5, 6, 9 & 10
- 13: Multi-Family Residential District, Sections 3 through 5

• PC 17 17 MOD 02 Boys and Girls Club

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## Applicable Criteria (con't)

- 34: Landscaping, Sections 3 through 5
- 35: Access and Circulation, Sections 2-6, 2-9, 2-12 through 2-14 & 3
- 36: Public Facilities, Section 3
- 37: Lighting Sections 2, 3 & 4

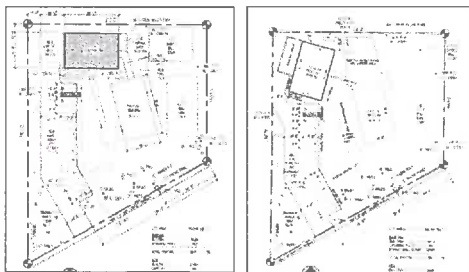
• PC 17 17 MOD 02 Boys and Girls Club

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## Site Plan

Previous

New



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## New Site Plan



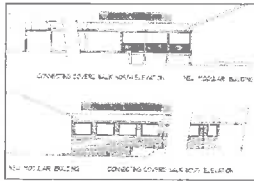
- Move Manufactured Building
- Construct Car Port
- Add Connection Hall
- Add Storage Shed
- Add Concrete Patio

• PC 17 17 MOD 02 Boys and Girls Club

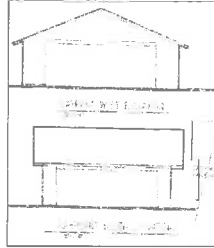
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## Elevations

### Breezeway/Connecting



### Carport



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## Colors & Materials

### Materials--

- Carport: metal construction
- Shed and hallway: wood product or hardy board

### Colors--

Consistent with current colors:

- Light Blue walls
- Dark Blue trim
- Slate Blue roof

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## New Conditions of Approval



7.2 Carport 15' setback from western property line.

10.1 Carport vehicular access width minimum of 10' wide.

10.2 Internal Walkway

- Separated with a raised curb
- Constructed with an approved surface material & meet ADA requirements.

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## Testimony/Referrals

### Testimony

- None Received

### Referral Comments

- None Received

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## Staff Recommendation

### Staff finds:

Meets the applicable criteria of City Code and **recommends approval** of the application with conditions of approval

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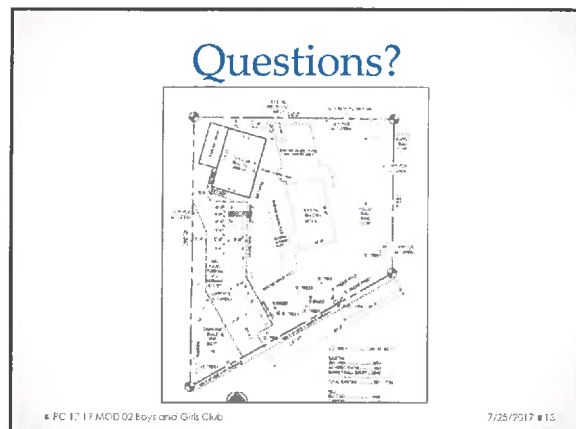
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## Alternatives

1. Approve the application;
2. Deny the application;
3. Modify the findings, reasons, or conditions and approve the proposal; or
4. Continue the Public Hearing to a date certain if more information is needed.

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# Tipler Annexation and Zoning Assignment

PC 17 15 ANN 01 & PC 17 16 ZC 01



## Introduction

- **June 20, 2017** – Petition/Application received
- **July 3, 2017** – Application deemed complete
- **July 25, 2017** – First evidentiary hearing (PC)
- **August 28, 2017** – Scheduled hearing (CC)

• Tipler Annexation and Zone Assignment

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## Applicable Criteria

### Annexation

#### **Oregon Revised Statutes (ORS)**

222.050 Sec. 3, 8, 5, and 9; 222.111; 222.120; 222.125; and 222.170 (2)

#### **Florence Realization 2020 Comprehensive Plan**

Chapter 1: Citizen Involvement, Policy 4  
Chapter 14: Urbanization, Policies 1, and 3 through 7

• Tipler Annexation and Zone Assignment

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## Applicable Criteria (con't.)

### Rezoning

#### **Florence Realization 2020 Comprehensive Plan**

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

#### **Florence City Code (FCC)**

Title 10, Chapter 1: Zoning Regulations, Sections 10-1-1-6-4, 10-1-2-3, and 10-1-3

• Tipler Annexation and Zone Assignment

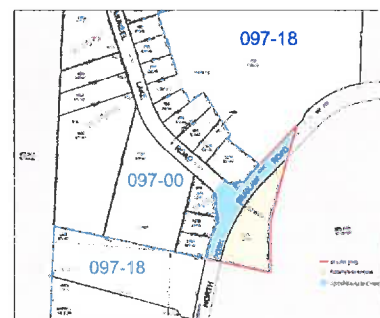
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## PC 17 15 ANN 01

• Tipler Annexation and Zone Assignment

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## Area Proposed for Annexation



• Tipler Annexation and Zone Assignment

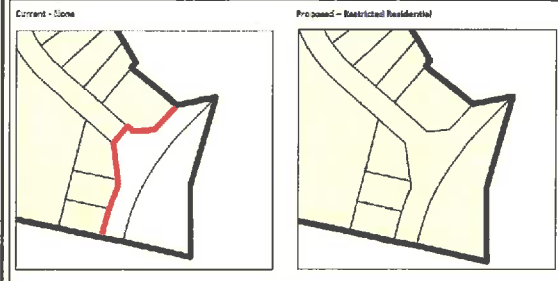
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## PC 17 16 ZC 01

• Tipton Annexation and Zone Assignment

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## Current/Proposed Zoning



• Tipton Annexation and Zone Assignment

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## Utilities and Access

- Addition of sewer, water, other City services
- No changes to access proposed
- Comments have been received from Lane County Transportation Planning

• Tipton Annexation and Zone Assignment

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## Testimony/Referrals

### Testimony:

- None Received

### Referral Comments (Exhibit C):

- Lane County Transportation Planning
- Siuslaw Valley Fire and Rescue

• Tipton Annexation and Zone Assignment

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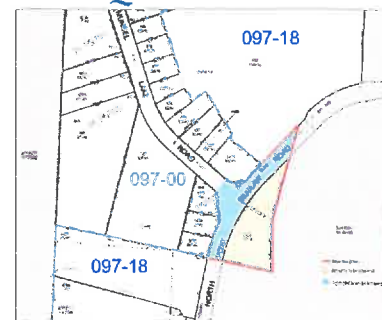
## Staff Recommendation

Approve Resolutions PC 17 15 ANN 01 and PC 17 16 ZC 01 recommending approval to the Florence City Council for the annexation and zoning of the petitioner's property to the City of Florence and the corresponding Restricted Residential District.

• Tipton Annexation and Zone Assignment

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## Questions?



• Tipton Annexation and Zone Assignment

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