

**CITY OF FLORENCE PLANNING COMMISSION**  
**October 17, 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, Commissioner Brian Jagoe, Commissioner Clarence Lysdale, Commissioner Sandi Young and Commissioner Ron Miller were present. Commissioner Michael Titmus and Vice Chairperson Bare were absent and excused. Also present: Planning Director Wendy FarleyCampbell and Admin Asst. Vevie McPherran.

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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 Young motioned to approve the minutes of October 10, 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 was one public hearing 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 introduced Resolution PC 17 22 CUP 09 – Florence City Hall Expansion & Remodel: An application from Erin Reynolds, City Manager, representing the City of Florence for a Conditional Use Permit, to add 1,878 sq. ft. for use as Council Chambers, entry vestibule, and conference room. The proposal includes changes to landscaping and parking. The site is located at 250 Highway 101, Map #18-12-34-11, Tax Lot 04100, within the Mainstreet District, Area A, regulated by Florence City Code Title 10, Chapter 27. He asked if any of the Planning Commissioners wished to declare any conflicts of interest, ex parte contacts, site visits, or bias. There were no declarations or challenges.

Chairperson Murphey opened the public hearing at 7:05 p.m. and asked for the staff report.

PD FarleyCampbell presented the staff report that began with a brief history of the 1967 constructed facility and presented the staff report that included details of the proposed expansion/remodel. PD FarleyCampbell pointed out the addition of Exhibit A1 regarding the supplemental staff report, Exhibit I regarding the referral comments from ODOT, and the Resolution that had been delivered on the Dais. She reported that the application met the applicable criteria of City Code and the 2020 Comp Plan and recommended approval with conditions of approval. PD FarleyCampbell clarified that the Alternatives should have included #3, "Modify the findings, reasons, or conditions and approve the proposal" (see attachment).

Commissioner Lysdale asked if there were parking requirement changes due to the building modification and PD FarleyCampbell replied there were none needed. He also inquired about the future of the bus stop currently located in front of the building on Highway 101 and wondered if it would be relocated. Commissioner Jagoe asked if sidewalks on 1<sup>st</sup> Street would be required and PD FarleyCampbell replied she had calculated proportionate to the expansion of 16% and that included modification to the west side of the building. She indicated that with the access management plan 1<sup>st</sup> Street would become one-way. Commissioner Jagoe pointed out some possible moisture and electrical problems that the rain garden could present, proposed next to the cinder block constructed fire station. There was discussion regarding a separation between the garden and the building and PD FarleyCampbell assured there would be at least a five-foot separation. Commissioner Jagoe asked what was happening to the flag pole and how it would be lit and PD FarleyCampbell replied that upward lighting was allowed. Finally, Commissioner Jagoe asked how long the current roof had been on the building. Commissioner Miller pointed out a tank possibly buried under the asphalt and wondered if it would be removed. Chairperson Murphey asked if there could be a setting adjustment on the after-hours exterior lighting to accommodate staff who may be working late.

**Applicant – Erin Reynolds, City Manager, City of Florence**

City Manager Reynolds addressed the Commissioners and presented a background of the thought and process given to the decision of expansion and remodel of the existing building. She explained how the highway revision project that included access, pedestrian, and landscape enhancements presented the perfect opportunity to improve the community gathering place of City Hall. City Manager Reynolds continued and explained the well-defined space and flow of the proposed expansion and remodel and how it would best serve the community and staff. She reported that the pitched roof section only of the building had been replaced after a winter storm in 2012. She stated that the two-year budget to finance the proposed expansion and remodel had been adopted and approved in June 2017. City Manager Reynolds concluded and reported that the flag pole would remain however, would be relocated on the property.

**Applicant – Megan Messmer, Project Manager, City of Florence**

**Applicant – Joe Slack, Principal Architect, HGE Inc.**

Mr. Slack introduced himself and presented a comprehensive summary that included details about the influence that the original building design had been on the project. He discussed the pedestrian way and the required ADA parking with an explanation of the grade challenge at the site. Mr. Slack indicated that the proposed designated rain garden could be modified to a type of green/planter space so as not to cause any water intrusion to the fire station building. He continued and explained the key design and thoughts behind the proposed highway elevation, front entrance, and the main hallway to celebrate the public space of the building. Mr. Slack discussed the proposed monument sign, the new 50-foot flag pole and how they would comply with the dark sky code and align with the building. He concluded and reported that the bus stop in front of the building would be relocated. Commissioner Miller inquired about the existing HVAC systems and Mr. Slack said the three existing would stay and there would be two new ones to serve the addition. Chairperson Murphey asked if a larger flag would be considered and Ms. Messmer replied that the current flag and pole would be relocated to the new Public Works facility and a larger flag and pole would be constructed at City Hall. Commissioner Jagoe questioned how the top of the flag pole would be accessed and Mr. Slack said that the flag had an internal halyard and indicated that PD FarleyCampbell recommended the solar powered light on top. There was brief discussion regarding the reach of a fire ladder if access and maintenance was needed for the flag pole.

Chairperson Murphey asked the applicant if they had read and understood the staff report and agreed with the conditions of approval and Ms. Messmer responded that they did. There was no public testimony. PD FarleyCampbell restated that staff recommended approval with outlined changes and modifications to the conditions of approval. The changes were to add, Informational #4 regarding the tank located adjacent to the fire station building and modification of Condition #8.6 regarding the end of "Stormwater design guidelines", to add "to include building setbacks". PD FarleyCampbell concluded and pointed out that Planning Commission did not review the sign code and that the color swatches that were delivered on the dais were available in the packet as Exhibit G2.

Chairperson Murphey closed the public hearing at 8:11 p.m.

There was no Commission deliberation.

Commissioner Lysdale motioned to approve Resolution PC 17 22 CUP 09 – Florence City Hall Expansion & Remodel with addition and modification of the conditions of approval as stated. Commissioner Jagoe seconded.

There was no Commission discussion or response from the applicant.

By roll call vote: Commissioner Miller, "yes"; Commissioner Jagoe, "yes"; Commissioner Lysdale, "yes"; Chairperson Murphey, "yes", Commissioner Young, "yes". Commissioner Titmus and Vice Chairperson Bare were absent and excused. Motion passed 5-0.

#### **PLANNING COMMISSION DISCUSSION ITEMS**

There were none.

#### **PLANNING DIRECTOR'S REPORT**

PD FarleyCampbell thanked those who had participated in the recent HEOP open house and reported the next HEOP meeting opportunity was scheduled for December 5, 2017 in the afternoon that would establish concrete policies based on the community input received. She also stated that consideration of the code/map amendments would follow at the first of the year. She concluded and reported that Code Enforcement had received a new vehicle.

#### **CALENDAR**

PD FarleyCampbell reported the next Planning Commission meeting was tentatively scheduled for November 28<sup>th</sup>.

Chairperson Murphey adjourned the meeting at 8:17 p.m.

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Chairperson, John Murphey  
**Florence Planning Commission**

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Date

## Glen Southerland

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**From:** ryan knott [REDACTED]  
**Sent:** Tuesday, April 17, 2018 1:55 PM  
**To:** Glen Southerland  
**Subject:** Re: Public Hearing Testimony - Kryan Knott annexation of property (18-12-11-33 Tax Lot 01100)

Hello Glenn

Thanks for all your help on this property. Because of some of the water issues on this ground I am withdrawing my application of annexation.

Thanks  
Ryan Knott  
[REDACTED]

On Apr 16, 2018, at 11:49 AM, Glen Southerland <[glen.southerland@ci.florence.or.us](mailto:glen.southerland@ci.florence.or.us)> wrote:

Hello Ryan,

I am sending along some testimony we just received as well as some dropped off Friday afternoon by Larry & Crystal Farnsworth.

Thank you,  
**Glen Southerland**  
Associate Planner  
City of Florence Planning Department  
[ci.florence.or.us](http://ci.florence.or.us)  
City of Florence Public Works  
(Temporary Location)  
2675 Kingwood Street  
Florence, OR 97439  
Phone: (541) 997-8237

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**PUBLIC RECORDS LAW DISCLOSURE:**

This email is a public record of the City of Florence and is subject to public inspection unless exempt from disclosure under Oregon Public Records Law. This email is also subject to the City's Public Records Retention Schedule.

**From:** Katie Jeremiah [REDACTED]  
**Sent:** Monday, April 16, 2018 11:40 AM  
**To:** Glen Southerland <[glen.southerland@ci.florence.or.us](mailto:glen.southerland@ci.florence.or.us)>  
**Cc:** Kris Jeremiah <[REDACTED]> Sandy Jeremiah <[REDACTED]>  
**Subject:** Public Hearing Testimony - Kryan Knott annexation of property (18-12-11-33 Tax Lot 01100)

Mr. Southerland –

Please include this e-mail and the attached letter (dated October 20, 2011 to Sarah Wilkinson regarding Lane County Department File PA 11-5474) in the staff report for the April 24, 2018 public hearing, in which the Knott Property is being considered for zoning as Service Industrial District.

I represent ARP Florence, LLC, which owns the property directly adjacent to the north boundary of Mr. Knott's property. While Mr. Knott's application is not the subject of the attached letter from 2011, it is the same property, and the same concerns with respect to flooding and drainage apply to this application.

While we do not oppose a property owner's right to pursue developing its property to the highest and best use, it cannot be to the detriment of the surrounding properties. Because the flooding and drainage issues in this area have still not been addressed by ODOT, Lane County or Florence, development of the subject property will only make matters worse. As noted in the attached letter, these drainage issues have been ongoing since the 1970's without any public intervention or remediation of issues created by ODOT, despite decades of repeated requests by property owners in the area.

We plead the City of Florence to acknowledge the drainage problem, and to work in tandem with Lane County and ODOT to resolve the drainage issues so that property owners can pursue development in this area in a way that is not detrimental to surrounding property owners before it approves zoning changes like the one being considered on April 24.

Sincerely,

ARP Florence, LLC

-Sandy, Kris and Katie Jeremiah

<359327\_2.PDF>

<Farnsworth Testimony - 4-13-18.pdf>

## Armstrong Annexation and Zoning Assignment

PC 18 03 ANN 02 & PC 18 04 ZC 02



## Introduction

- **Feb. 12, 2018** – Petition/Application received
- **April 4, 2018** – Application deemed complete
- **April 24, 2018** – First evidentiary hearing (PC)
- **May 21, 2018** – Scheduled hearing (CC)

• Armstrong Annexation and Zone Assignment

4/24/18 • 2

## Applicable Criteria

### Annexation

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

222.111; 222.120; 222.125; and 222.170 (2)

#### **Florence Realization 2020 Comp Plan**

Chapter 14: Urbanization, Policies 1, and 3 through 7; Recommendation 3

• Armstrong Annexation and Zone Assignment

4/24/18 • 3

## Applicable Criteria (con't.)

### Zone Assignment

#### **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

Title 11, Chapter 11: Single-Family Residential District, Sections 1 through 5

• Armstrong Annexation and Zone Assignment

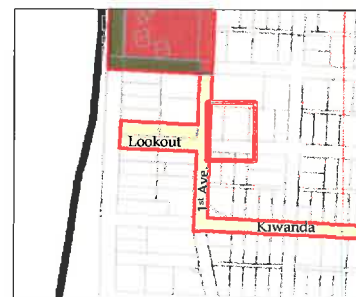
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## PC 18 03 ANN 02

• Armstrong Annexation and Zone Assignment

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## Area Proposed for Annexation



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## PC 18 04 ZC 02

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## Current/Proposed Zoning



Armstrong Annexation and Zone Assignment

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## Utilities and Access

- Vacant properties
- Addition of sewer, other City services
- Water provided by Heceta Water PUD

Armstrong Annexation and Zone Assignment

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## Testimony/Referrals

### Testimony:

- None Received

### Referral Comments (Exhibit C):

- Florence Police Department

Armstrong Annexation and Zone Assignment

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## Staff Recommendation

Approve Resolutions PC 18 03 ANN 02 and PC 18 04 ZC 02 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 Single-Family Residential District.

Armstrong Annexation and Zone Assignment

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## Questions?




Armstrong Annexation and Zone Assignment

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## 4<sup>th</sup> Ave. Annexation

**PC 18 05 ANN 03  
& PC 18 06 ZC 03**



## Annexation Criteria

**Oregon Revised Statutes:**  
ORS 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

04/24/2018 #2

## Zone Assignment Criteria


**Florence City Code:**  
Chapter 1: Zoning Regulations, Sections 10-1-1-6-4, 10-1-2-3, and 10-1-3  
Title 10, Chapter 10 – Restricted Residential

**Florence Realization 2020 Comprehensive Plan:**

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

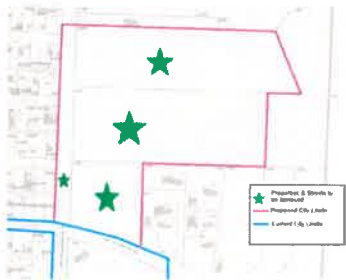
04/24/2018 #3

## Aerial of Annexation Area



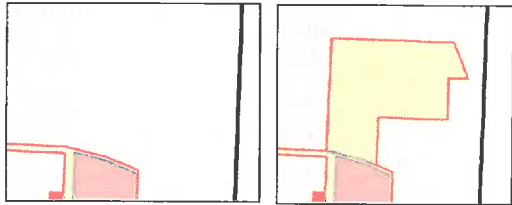
04/24/2018 #4

## Property to be Annexed



04/24/2018 #5

## Zoning Map



- Restricted Residential**

04/24/2018 #6



## Public Comments

- Clavel
- Leo
- Sturdivan
- Anderson

• 4th Ave. Annexation- PC 18 05 ANN 03

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## Referral Comments

### Exhibit C:

- Public Works Dept.:
  - .555 mgd excess sewer capacity
- Police Dept.:
  - Has capacity to expand police response from current emergency response levels.

• 4th Ave. Annexation- PC 18 05 ANN 03

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## Utilities & Access

- Water: Remain on Heceta Water
- Sewer: Connecting to existing pressure sewer in Rhody via Heceta Beach Road.
- Access: Existing street system, with needed improvements at development

• 4th Ave. Annexation- PC 18 05 ANN 03

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## Consents

- Both Double and Triple Majority methods are met

• 4th Ave. Annexation- PC 18 05 ANN 03

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## Alternatives

1. Provide a recommendation supporting the annexation and zone assignment to the City Council, or
2. Provide a recommendation to the City Council to deny the petition for annexation and zone assignment with reasons for the denial, or
3. Modify the findings, reasons, or conditions and provide a recommendation supporting the annexation and zone assignment to the City Council, or
4. Continue the Public Hearing to a date certain if more information is needed.

• 4th Ave. Annexation- PC 18 05 ANN 03

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## Staff Recommendation

Provide a recommendation supporting the annexation and zone change to the City Council.

• 4th Ave. Annexation- PC 18 05 ANN 03

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## Questions?

• 4th Ave. Annexation- FC 18 05 ANN 03

04/24/2018 ■ 13

## Glen Southerland

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**From:** Pete Sturdivan <pete.sturdivan@milliman.com>  
**Sent:** Tuesday, April 17, 2018 8:55 AM  
**To:** Glen Southerland  
**Subject:** Annexation and Rezoning request from Mr. Norman Waterbury

April 17, 2018

Dear Mr. Southerland:

We are responding to the Notice of Public Hearing of a request by Mr. Norman Waterbury for annexation of properties located at Assessors Map 18-12-04-14 Tax Lots 00105, 100117, 02200 and a portion of right-of-way on 4<sup>th</sup> Avenue. We also understand that the properties are proposed to be rezoned Restricted Residential District. Below are two issues that we respectfully request that the Planning Commission and Mr. Waterbury consider with respect this application.

1. The properties may have a natural creek or spring within its boundaries. Given this situation we request that the Planning Commission consider the possibility of rezoning some or all of these properties as an estuary or as a protected watershed under another ordinance. It is possible that Lane County may currently have jurisdiction over this situation.
2. The consequences of the potential redirection of a natural creek / spring or water run-off due to the construction of a major development as described under Chapter 10 need to be identified and resolved. Redirecting a water source or runoff could result in major issues for nearby properties and could destabilize 4<sup>th</sup> Avenue.

We appreciate the opportunity to comment on this request and proposed action by the Planning Commission.

Best Regards,

Peter R. Sturdivan  
12820 SE Geneva Way  
Happy Valley, OR 97086

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## Glen Southerland

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**From:** sodell@oregonfast.net  
**Sent:** Tuesday, April 24, 2018 12:27 PM  
**To:** Glen Southerland  
**Cc:** odelldk@gmail.com  
**Subject:** annexation of heceta properties

sirs,

thank you for taking time to read my email, my name is steve O'Dell, i own lot 115 that borders lot 105 that is being considered for annexation, i just wanted to draw the cities attention to the multiple identified wetlands and year round creek contained within the properties being considered for annexation, as it seems the construction of storm/drainage system would be quite extensive, as these properties handle the runoff of very large area, in my opinion the cost of a proper storm/drainage system would over shadow the cost of sewer connection, and be a burden for the city to maintain.

In the 30 years i have owned lot 115 neither me or my neighbors have had any standing water or flooding

on our properties, and hope any decision made by the city does not change this. Just something to consider in your decision

again thank you for your time, respectfully, steve O'Dell (sodell@oregonfast.net)

## Glen Southerland

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**From:** Terry Leo <joyrideleo@gmail.com>  
**Sent:** Monday, April 23, 2018 5:09 PM  
**To:** Glen Southerland  
**Subject:** Re: Please let me know if you can't open this Document.

Glen I would like to add to my original document that this area is a Wetlands, its got Ducks, Osprey, Salamanders, Leopard frogs, tree frogs, weasels, beavers and any other animal that goes a long with a wetlands. Thanks, Terry

> On Apr 16, 2018, at 2:10 PM, Terry Leo <joyrideleo@gmail.com> wrote:  
>  
> <Growth.docx>