

**CITY OF FLORENCE PLANNING COMMISSION**  
**May 22, 2018 \*\* MEETING MINUTES \*\***

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

Chairperson John Murphey called the meeting to order at 5:30 p.m. Roll call: Chairperson John Murphey, Vice Chairperson Sandra Young, Commissioner Ron Miller, and Commissioner Eric Hauptman were present. Commissioner Michael Titmus, Commissioner Phil Tarvin, and Commissioner Brian Jagoe were absent and excused. Also present: Planning Director Wendy FarleyCampbell, Associate Planner Glen Southerland, and Admin Assistant Vevie McPherran.

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**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Commissioner Miller motioned to approve the minutes of April 24, 2018 and May 8, 2018 with correction. Vice Chairperson Young 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 three public hearings before the Planning Commission that evening. The hearings 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 hearings 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, prejudice, personal interest, or other facts from which the party has concluded that the Commissioner will not make a decision in an impartial manner.*

**RESOLUTION PC 17 26 PUD 01 – Fairway Estates, Final PUD:** An application for a Preliminary Development Plan for a Final Planned Unit Development and Final Subdivision from Michael Pearson of Pacific Golf Communities, LLC to develop the 10-acre parcel located adjacent to the Sandpines Golf Course and abutting Rhododendron Drive into 40 building lots for single family detached homes. Property is located at Map No. 18-12-15-00, TL 01200 & 01300, Map No. 18-12-15-33, TL 04700, and Map No. 18-12-15-34, TL 04300, in the Single Family Residential District, regulated by FCC Title 10, Chapter 11.

No Commissioner declared a conflict of interest or bias. There were no challenges to impartiality.

Chairperson Murphey opened the public hearing at 5:35 PM.

AP Southerland presented the staff report on the subject of Mr. Pearson's application for Final PUD that included criteria from Florence City Code Chapter 10, Chapter 11, and Florence Realization 2020 Comprehensive Plan (see attachment). No public testimony was received prior to the public hearing. Referral comments included Exhibit D, TIA Review Comments – (2015) and Exhibit F, Public Works Comments. AP Southerland stated that Condition 4.16 regarding the previous Conditions for lighting would require some research to establish more information about the lighting that had already been installed. He added that the applicant stated that they had completed Condition 5.1 regarding the wetland investigation however, would still need to provide that documentation to staff. AP Southerland pointed out that Conditions 8.1 through 8.4 regarding streets, sidewalks, and stormwater plans were typically installed prior to the final PUD however, Public Works had approved these without notification to the Planning Department for their review and input and did not meet current City standard. He continued and stated that the Commissioners could remove those conditions and accept the Public Works prior approval. AP Southerland concluded and said that staff recommended approval of the final plat and PUD and presented the alternatives.

The Commissioners agreed that a timeline should be established to fulfill the conditions of approval. Commissioner Hauptman commented that many of the required conditions were still outstanding. AP Southerland explained the waive of the 45-day and the 120-day review period the applicant agreed to when they knew they would not make the deadline, the City controlled escrow

account, and the inspection schedule. Commissioner Hauptman inquired about the consideration of duplexes and triplexes as a percentage of the construction to help alleviate some of the housing issues and AP Southerland stated it was not in code criteria at this time.

**Applicant – Michael Pearson of Pacific Golf Communities, LLC – 9222 Phey Lane, Florence**

Mr. Pearson did not have a presentation but stated he had read and understood the staff report, and agreed to the conditions of approval.

**Opponent – Steve Williams – President of Seawatch HOA – No address given**

Mr. Williams stated his concerns of possible bank erosion and additional traffic impacts.

**Applicant – Michael Pearson of Pacific Golf Communities, LLC – 9222 Phey Lane, Florence**

Mr. Pearson stated that a traffic study had been done and approval of the PUD had been received.

AP Southerland explained the traffic study that had been done and indicated that increase traffic and vision clearance issues could possibly be monitored for impacts in the future. He restated that staff recommended approval of the final plat and PUD with conditions noted, and requested feedback from the Commissioners regarding 8.1 through 8.4.

Chairperson Murphey closed the public hearing at 6:09 PM.

Vice Chair Young requested clarification regarding the completion dates and costs involved with the prior Public Works approval of conditions 8.1 through 8.4. There was brief discussion and the Commissioners agreed to remove the conditions.

Vice Chairperson Young motioned to approve RESOLUTION PC 17 26 PUD 01 – Fairway Estates, Final PUD with the deletion of conditions 8.1 through 8.4 and include a timeline where applicable; Commissioner Miller seconded.

By roll call vote: Commissioner Hauptman, “Yes;” Vice Chairperson Young, “Yes;” Commissioner Miller, “Yes;” Chairperson Murphey, “Yes.” Motion passed 4-0.

**RESOLUTION PC 18 13 PT 01 – deRyk House Lot Partition:** An application from Jon and Janet deRyk requesting a Minor Partition of the parcel located at Assessors Map 18-12-15-22, Tax Lot 05301. The property abuts South Harbor Vista Drive and is proposed to become two parcels. No Commissioner declared a conflict of interest or bias.

There were no challenges to impartiality.

Chairperson Murphey opened the public hearing at 6:15 PM.

AP Southerland presented the staff report on the subject of Mr. and Mrs. deRyk’s application for a Minor Partition (see attachment). There were no referral comments and no public testimony was received. Staff recommended approval with Condition 11 to add the requirement that the final plat map not be recorded with Lane County until after August 29, 2018 to fulfil the State code that no minor partition will take place within one year of the last minor partition which was recorded in the County on August 29, 2017.

There was brief discussion regarding whether the State considered the document recorded with the City on April 13, 2017 or with the County on August 29, 2017.

**Applicant – Jon deRyk – P.O. Box 3100, Florence**

Mr. deRyk explained the delay in the survey and submission in to Lane County. He also stated that he was agreeable with the August 29, 2018 date. Mr. deRyk said that he had read and understood the staff report, and agreed to the conditions of approval.

There was no public testimony and no other questions. AP Southerland stated that staff recommended approval with Condition 11 included.

Chairperson Murphy closed the public hearing at 6:31 PM.

Chairperson Murphy questioned what the applicant would be able to proceed with if Condition 11 were added and AP Southerland explained the applicant’s timeline options until the final plat was recorded.

Commissioner Miller motioned to approve RESOLUTION PC 18 13 PT 01 – deRyk House Lot Partition to include Condition 11; Vice Chairperson Young seconded.

By roll call vote: Chairperson Murphey, "Yes;" Commissioner Hauptman, "Yes;" Vice Chairperson Young, "Yes;" Commissioner Miller, "Yes." Motion passed 4-0.

**RESOLUTION PC 18 14 PT 02 – deRyk Vacant Lot Partition:** An application from Jon and Janet deRyk requesting a Minor Partition of the parcel located at Assessors Map 18-12-15-22, Tax Lot 05302. The property abuts both Treewood Court and South Harbor Vista Drive and is proposed to become three parcels.

No Commissioner declared a conflict of interest or bias. There were no challenges to impartiality.  
Chairperson Murphey opened the public hearing at 6:35 PM.

AP Southerland presented the staff report on the subject of Mr. and Mrs. deRyk's application for a Minor Partition (see attachment). There were no referral comments and no public testimony was received. Staff recommended approval with Condition 11 to add the requirement that the final plat map not be recorded with Lane County until after August 29, 2018 to fulfil the City and State code that no minor partition will take place within one year of the last minor partition which was August 29, 2017.

Vice Chairperson Young questioned why the applicant chose to go forward with what seemed to be serial minor partitions that were not allowed by code. AP Southerland responded that staff had originally encouraged a subdivision but, the applicant had not yet determined how they were going to partition the properties. He continued and stated there had been no public dedications made that would require a subdivision. There was brief discussion about loop holes in the code and utility construction. PD FarleyCampbell presented Vice Chairperson Young with the code.

**Applicant – Jon deRyk – P.O. Box 3100, Florence**

Mr. deRyk said that he had read and understood the staff report, and agreed to the conditions of approval

There was no public testimony and no other questions. AP Southerland stated that staff recommended approval with Condition 11 included.

Chairperson Murphy closed the public hearing at 6:44 PM.

Vice Chairperson Young read the definition of "Partition" and emphasized that "if the area is to be divided into four or more parcels then subdivision provisions may be required". She concluded and stated that it seemed clear that was happening.

Commissioner Miller motioned to approve RESOLUTION PC 18 14 PT 02 – deRyk Vacant Lot Partition with condition 11 added; Commissioner Hauptman seconded.

By roll call vote: Commissioner Hauptman, "Yes;" Commissioner Young, "Yes;" Chairperson Murphey, "Yes;" Commissioner Miller, "Yes." Motion passed 4-0.

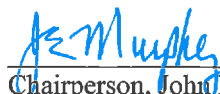
**PLANNING COMMISSION DISCUSSION ITEMS**

There were none.

**PLANNING DIRECTOR'S REPORT/CALENDAR**

PD FarleyCampbell welcomed the Siuslaw High School students. She continued and gave an overview of the scheduled Planning Commission Meetings of June 12 and June 26, 2018.


Chairperson Murphey adjourned the meeting at 6:52 PM.

  
\_\_\_\_\_  
Chairperson, John Murphey  
Florence Planning Commission

8-28-18  
\_\_\_\_\_  
Date

# Fairway Estates Final PUD

## PC 17 26 PUD 01



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## Criteria

**Florence City Code, Title 10:**  
 Chapter 1: Zoning Administration, Section 1-6-3  
 Chapter 3: Off-Street Parking and Loading, Sections 2 through 4, and 8  
 Chapter 7: Special Development Standards, Sections 2, 3, 5, and 6  
 Chapter 11: Single Family Residential, Sections 2, and 4 through 5  
 Chapter 23: Planned Unit Development, Sections 1 through 8, 10, and 13  
 Chapter 35: Access and Circulation, Sections 2-2, 2-3, 2-5 through 2-14, and 3-1 through 3-3  
 Chapter 36: Public Facilities, Sections 1, 2-1 through 2-6, 2-8 through 2-23, and 3 through 8  
 Chapter 37: Lighting, Sections 2 through 6

• Fairway Estates – PC 17 26 PUD 01

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## Criteria, cont.

**Florence City Code, Title 9:**  
 Chapter 5: Stormwater Mgmt. Regs., Sections 1 through 5

**Florence City Code, Title 11:**  
 Chapter 1: Subdivision Administration, General Provisions, Section 2  
 Chapter 3: Major Partition, Tentative Plan Procedure, Sections 2 through 8  
 Chapter 5: Platting and Mapping Standards, Sections 1 through 5  
 Chapter 7: Modifications, Subdivision Regulations, Section 1

• Fairway Estates – PC 17 26 PUD 01

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## Criteria, cont.

**Florence Realization 2020 Comprehensive Plan:**  
 Chapter 2: Land Use, Policy 7  
     Residential, Policies 1, 4, and 11, Recommendation 1  
     Other Plan Designation Categories and  
     Background: Private Open Space  
 Chapter 7: Development Hazards and Constraints, Policies 1 and 2  
 Chapter 11: Stormwater Management, Policies 1 through 22, and 27  
 Chapter 12: Transportation, Policies 6, 8, 9, 13, 14, and 23

• Fairway Estates – PC 17 26 PUD 01

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## Introduction

- **2005** – Tentative subdivision plan for Sandpines Phases II and III approved
- **2007** – Modification to tentative plan for sidewalk and bike path
- **2008** – Additional modifications
- **July 22, 2015** – Application submitted by new owners for tentative subdivision plan and preliminary PUD
- **August 20, 2015** – Application deemed "complete"

• Fairway Estates – PC 17 26 PUD 01

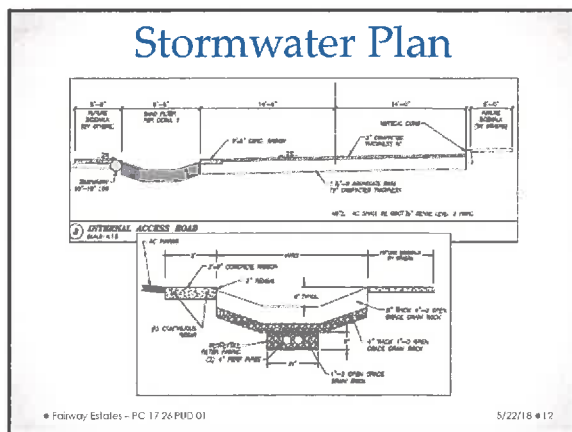
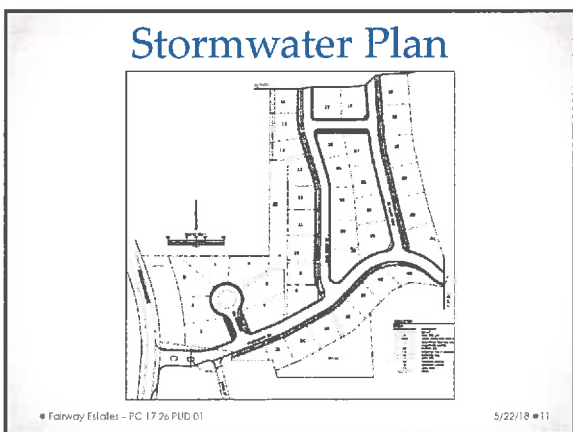
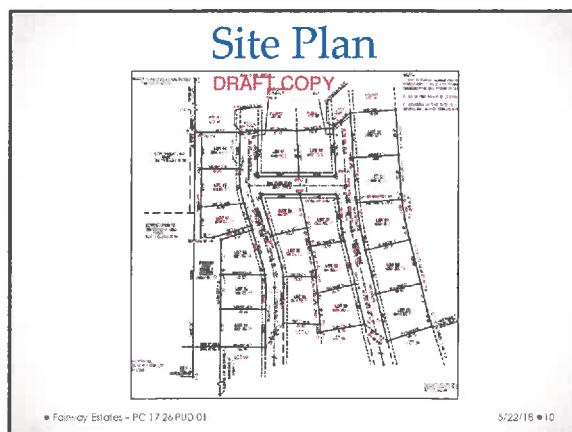
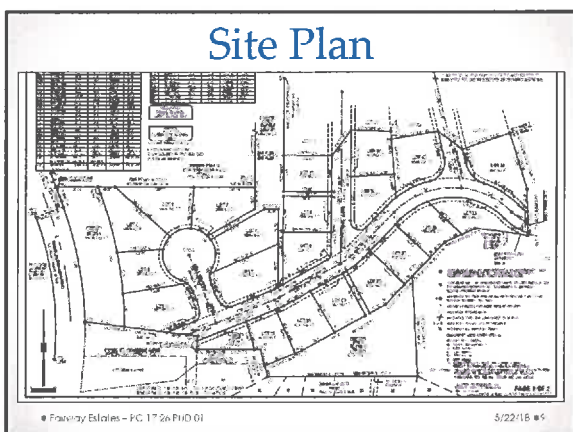
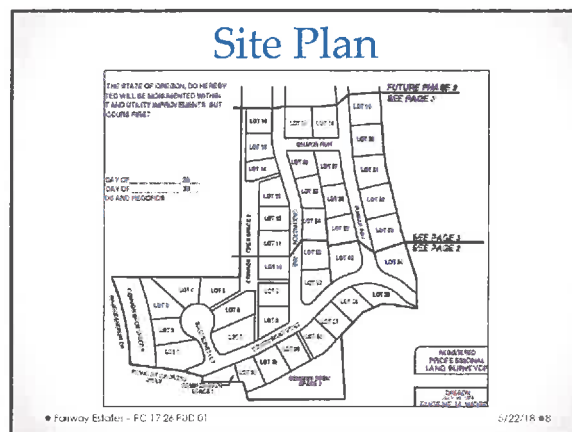
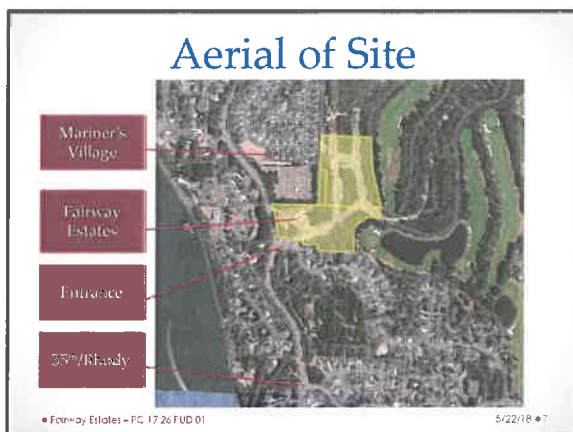
5/22/18 • 5

## Introduction

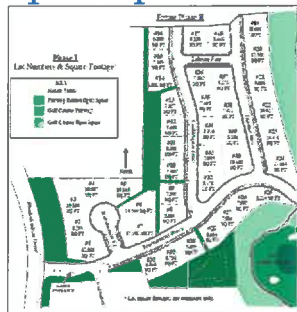
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• Fairway Estates – PC 17 26 PUD 01

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## Open Space Plan



• Fairway Estates - PC 17.26 PUD 01

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## Testimony

### Public Testimony Received:

None Received

### Referrals Comments:

"D" TIA Review Comments - (2015)

"F" Public Works Referral Comments

• Fairway Estates - PC 17.26 PUD 01

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## Staff Recommendation

Staff finds that the applicant meets the criteria provided by Florence City Code and the Florence Realization 2020 Comprehensive Plan and can be approved with the conditions of approval as follows:

• Fairway Estates - PC 17.26 PUD 01

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## Conditions of Approval

### 4. Previous Conditions of Approval

- 4.1. PW referral comment requirements *(before and after paving)*
- 4.2. Slope easements *(Extent unknown)*
- 4.3. Landscaping Plan *(prior to final plat signature)*
- 4.4. Reciprocal access easement *(future Phase II/III)*
- 4.5. Rhody MUP *(Future, unknown)*
- 4.6. Interior sidewalks *(building permit phase)*
- 4.7. Interior sidewalk issues *(b.p. phase)*

• Fairway Estates - PC 17.26 PUD 01

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## Conditions of Approval

### 4. Previous Conditions of Approval

- 4.8. Connection between interior and entrance sidewalks *(b.p. phase)*
- 4.9. Walkways *(b.p. phase)*
- 4.10. Internal sidewalks *(b.p. phase)*
- 4.11. Private pedestrian walkways (OS) meet FCC 10-35 *(prior to final plat signature)*
- 4.12. Type III barricade at end of each street stub *(after street construction)*
- 4.13. Monumentation and street signage *(after street construction)*

• Fairway Estates - PC 17.26 PUD 01

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## Conditions of Approval

### 4. Previous Conditions of Approval

- 4.14. Florence Postmaster consultation *(completed)*
- 4.15. NPDES permitting *(prior to final plat signature)*
- 4.16. Lighting Previous Conditions *(prior to final plat signature)*
- 4.17. Comp Plan Amendment with Phase II *(concurrent or before Phase II)*

• Fairway Estates - PC 17.26 PUD 01

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## Conditions of Approval

### 5. Special Dev., Zoning, and Parking Stds.

- 5.1. Wetland investigation *(prior to final plat signature)*
- 5.2. Each dwelling meets FCC 10-11-4-D *(b.p. phase)*
- 5.3. FCC 10-11-5-A through -I *(b.p. phase)*
- 5.4. Parking for each residence *(b.p. phase)*
- 5.5. Consistent with SFR District *(b.p. phase)*
- 5.6. Two parking spaces per home meeting dimensional standards *(b.p. phase)*

• Fairway Estates – PC 17 26 PUD 01

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## Conditions of Approval

### 6. Access and Circulation

- 6.1. Areas and content of proposed open space areas and area of proposed vegetation *(prior to final plat signature)*
- 6.2. Open Space areas do not contain listed conditions of FCC 10-23-5-G-4 *(completed 5/15)*

• Fairway Estates – PC 17 26 PUD 01

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## Conditions of Approval

### 7. Access and Circulation

- 7.1. Utility access easements *(prior to final plat signature)*
- 7.2. Interior streets meet Local Street standard *(prior to street paving)*
- 7.3. \$25,000 + ENR for Phase I, Phase II TBD *(prior to Phase II or at time of construction of Rhody MUP)*
- 7.4. Easements and construction plan review *(prior to final plat signature)*
- 7.5. Comments or concerns from referral agencies *(prior to final plat signature)*

• Fairway Estates – PC 17 26 PUD 01

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## Conditions of Approval

### 8. Stormwater Requirements

- 8.1. Submit information meeting FCC 9-5-3-2-D *(delete condition?)*
- 8.2. Planted stormwater facility *(delete condition?)*
- 8.3. Treatment quality standard *(delete condition?)*
- 8.4. Flows beyond designed storm *(delete condition?)*
- 8.5. Operations and Maintenance Plan *(prior to final plat signature)*
- 8.6. City granted perpetual access to inspect storm system *(prior to final plat signature)*

• Fairway Estates – PC 17 26 PUD 01

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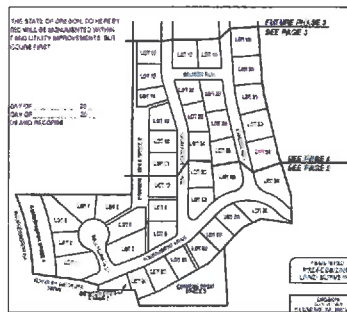
## Alternatives

1. Approve the tentative plan and preliminary PUD;
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.

• Fairway Estates – PC 17 26 PUD 01

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## Questions?



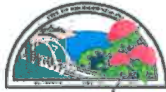
• Fairway Estates – PC 17 26 PUD 01

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# deRyk Tentative Minor Partition

**PC 18 13 PT 01**



## Criteria

**Criteria Applying to this Matter for the application include:**

**Florence City Code, Title 9:**

Chapter 5: Stormwater Management Utility, Sections 2, 3 & 4

**Florence City Code, Title 10:**

Chapter 1: Zoning Administration, Sections 1-4, 1-5 and 1-6-3

Chapter 2: General Zoning Provisions, Section 14

Chapter 7: Special Development Standards, Sections 5 and 6

Chapter 11: Single-Family Residential District, Sections 2 through 4

Chapter 19: Estuary, Shorelands, and Beaches and Dunes, Sections 5 and 6

Chapter 36: Public Facilities, Sections 1 through 8

• deRyk Partition - PC 18 13 PT 01

5/22/18 • 2

## Criteria

**Criteria Applying to this Matter for the application include:**

**Florence City Code, Title 11:**

Chapter 1: Subdivision Administration, General Provisions, Sections 2 and 3

Chapter 2: Minor Partitioning Procedure, Sections 1 through 9

Chapter 5: Platting and Mapping Standards, Sections 1 through 5

**Realization 2020 Florence Comprehensive Plan:**

Chapter 16: Siuslaw River Estuarine Resources

Chapter 17: Coastal Shorelands – Ocean, Estuary, and Lake Shorelands

**Oregon Revised Statutes**

ORS Ch. 92 Subdivisions and Partitions – ORS 92.010 through 92.170

• deRyk Partition - PC 18 13 PT 01

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## Aerial of Site

S Harbor Vista Drive

Existing Residence

Existing Storage Building

Treeview Court



• deRyk Partition - PC 18 13 PT 01

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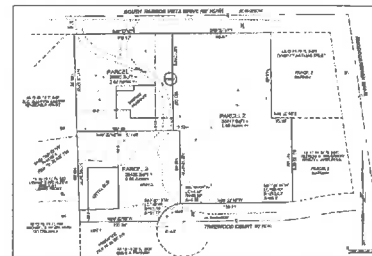
## Introduction

- 1990 – Original parcel partitioned into 2.36 acre lot
- February 6, 2017 – Annexed
- February 28, 2017 – Partition app. Received
- April 13, 2017 – Tentative Partition approved
- August 29, 2017 – Partition recorded at County
- **April 18, 2018** – Application received
- **May 22, 2018** – Planning Commission Hearing

• deRyk Partition - PC 18 13 PT 01

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## Previous Partition



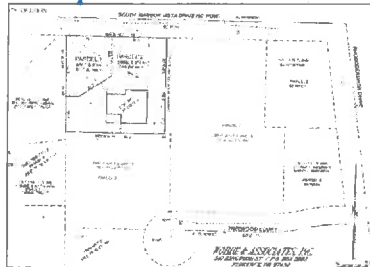
- Single Family Residential, Shoreland Residential Overlay
- Minimum Lot Dimensions, Frontage, Area, Uses

• deRyk Partition - PC 18 13 PT 01

5/22/18 • 6



## Proposed Partition

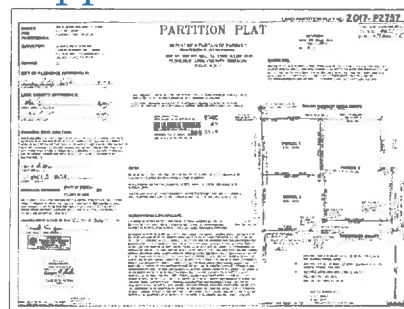


- Single Family Residential, Shoreland Residential Overlay
- Minimum Lot Dimensions, Frontage, Area, Uses

• deRyk Partition - PC 18 13 PT 01

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## Approved Partition



• deRyk Partition - PC 18 13 PT 01

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## Testimony

- Referral Comments
  - None
- Public Testimony
  - None

• deRyk Partition - PC 18 13 PT 01

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## Conditions of Approval

3. Legal description, contour & utility map
4. Comments or concerns prior to final partition map
5. Public Improvements – RID or pay outright
6. Title Report
7. Submit final partition map within 6 mos. – meet req. of Title 11 and show parcel areas
8. One year deadline – meet conditions **May 22, 2019**
9. Easements access and sewer, if any.
10. Type & number monuments with final partition

• deRyk Partition - PC 18 13 PT 01

5/22/18 • 10

## Recommendation

The application meets the requirements of City Code with conditions of approval. Staff recommends approval of Resolution PC 18 13 PT 01.

• deRyk Partition - PC 18 13 PT 01

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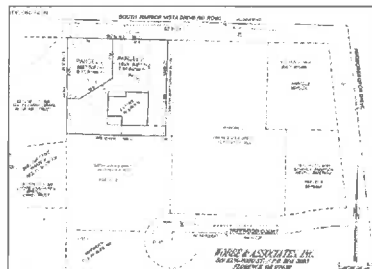
## Alternatives

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

• deRyk Partition - PC 18 13 PT 01

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## Questions?



• deleyk, Farlacon - PC 18 13 PT 01

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# deRyk Tentative Minor Partition

**PC 18 14 PT 02**



## Criteria

**Criteria Applying to this Matter for the application include:**

**Florence City Code, Title 9:**

Chapter 5: Stormwater Management Utility, Sections 2, 3 & 4

**Florence City Code, Title 10:**

Chapter 1: Zoning Administration, Sections 1-4, 1-5 and 1-6-3

Chapter 2: General Zoning Provisions, Section 14

Chapter 7: Special Development Standards, Sections 5 and 6

Chapter 11: Single-Family Residential District, Sections 2 through 4

Chapter 19: Estuary, Shorelands, and Beaches and Dunes, Sections 5 and 6

Chapter 36: Public Facilities, Sections 1 through 8

deRyk Partition - PC 18 13 PT 01

5/22/18 #2

## Criteria

**Criteria Applying to this Matter for the application include:**

**Florence City Code, Title 11:**

Chapter 1: Subdivision Administration, General Provisions, Sections 2 and 3

Chapter 2: Minor Partitioning Procedure, Sections 1 through 9

Chapter 5: Platting and Mapping Standards, Sections 1 through 5

**Realization 2020 Florence Comprehensive Plan:**

Chapter 16: Siuslaw River Estuarine Resources

Chapter 17: Coastal Shorelands – Ocean, Estuary, and Lake Shorelands

**Oregon Revised Statutes**

ORS Ch. 92 Subdivisions and Partitions – ORS 92.010 through 92.170

deRyk Partition - PC 18 13 PT 01

5/22/18 #3

## Aerial of Site



deRyk Partition - PC 18 13 PT 01

5/22/18 #4

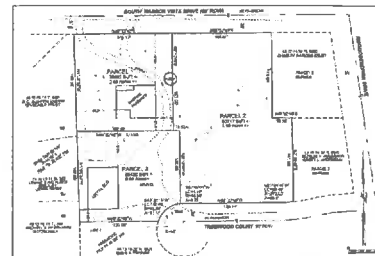
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deRyk Partition - PC 18 13 PT 01

5/22/18 #5

## Previous Partition

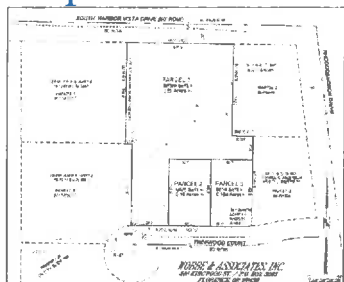


- Single Family Residential, Shoreland Residential Overlay
- Minimum Lot Dimensions, Frontage, Area, Uses

deRyk Partition - PC 18 13 PT 01

5/22/18 #6

## Proposed Partition

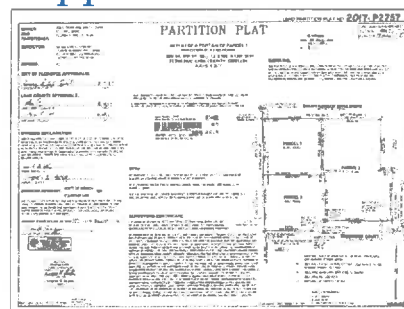


- Single Family Residential, Shoreland Residential Overlay
- Minimum Lot Dimensions, Frontage, Area, Uses

deRyk Partition - PC 18 13 PT 01

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## Approved Partition



deRyk Partition - PC 18 13 PT 01

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## Testimony

- Referral Comments
  - None
- Public Testimony
  - None

deRyk Partition - PC 18 13 PT 01

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## Recommendation

The application meets the requirements of City Code with conditions of approval. Staff recommends approval of Resolution PC 18 13 PT 01.

deRyk Partition - PC 18 13 PT 01

5/22/18 • 10

## Conditions of Approval

3. Legal description, contour & utility map
4. Comments or concerns prior to final partition map
5. Public Improvements – RID or pay outright
6. Title Report
7. Submit final partition map within 6 mos. – meet req. of Title 11 and show parcel areas
8. One year deadline – meet conditions  
**May 22, 2019**
9. Easements access and sewer, if any.
10. Type & number monuments with final partition

deRyk Partition - PC 18 13 PT 01

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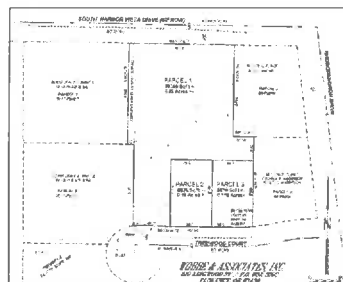
## Alternatives

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

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## Questions?



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