Exhibit K73

3 November 2020

Planning Commission
City of Florence
250 Highway 101
Florence, OR 97439

Re: Benedick Holdings LLC annexation

I realize that ORS 222.125 says that only the owner(s) of the property being annexed needs to support a petition for annexation, and Benedick Holdings LLC says they've satisfied that requirement because they are the owners of the parcel at the end of Oceana Drive.

However, their petition demands that all of Oceana Drive be annexed also, so it seems only fair and reasonable that the "votes" of homeowners on Oceana be counted, too, since their properties will be very directly affected by this proposed annexation.

To that end, on October 21, 2020, I mailed a letter to all 43 owners of record on Oceana Dr, plus two on Saltaire Street and three on Sandrift Street whose properties border Oceana.

In my letter — a copy is attached here — I asked everyone to express their opinion on a scale from 1 to 5, where "1" is most strongly in favor of the annexation, and "5" is most strongly opposed. I did not express my own opinion in my letter, and purposely did not try to influence the votes.

I received responses from 44 out of 48 owners, or 90%; the average of all votes is 4.95. To attain that average, two owners said "mildly opposed," or "4," and 42 owners said "strongly opposed," or "5." No one voted in favor, and no one said they had no opinion.

Note that in my survey, each property got only one vote, although there were approximately 72 adults represented in the final tally. It's a somewhat cruel irony that those 72 people don't have any say in the City of Florence elections, and never will, even if the street where they live is annexed.

It's also interesting to note that eight of my letters were returned by the U.S. Postal Service as "undeliverable," even though the names and addresses are valid and identical to what Lane County has on file; that's a return rate of almost 17%.

From those eight returns, I was able to track down and speak with six owners through a combination of internet research, phone calls, and knocking on doors. Most of these people did not know about the proposed annexation: They are not currently in residence, they've not seen the city's yellow "Land Use Decision" signs, and they're not receiving mail addressed to them at Oceana Drive.

I mention this detail about undeliverable mail not as an accusation of the city's notification procedures, but just to confirm that there are many people who would be permanently affected by the Benedick Holdings petition — if it is approved — who simply don't know about it.

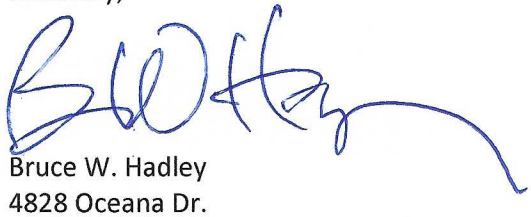
By the way, I have saved all the "ballots" I received, and have detailed notes in an Excel spreadsheet to substantiate and support these findings. I'm happy to share those details, if anyone is interested, but I will obscure personal contact information such as phone numbers and email addresses.

In summary:

The Benedick Holdings petition would have a profoundly negative effect on all of Idylewood, but nowhere will that effect be as great — and as awful — as it would be for those of us who live on Oceana Drive. The people who voted in my survey, representing 90% of all Oceana homeowners, are unanimous in their opposition.

We hope you will pay attention to the will and wishes of the real majority, rather than a single, non-resident (albeit well-funded) developer.

Sincerely,



Bruce W. Hadley
4828 Oceana Dr.
Florence, OR 97439

20 October 2020

Dear neighbors,

I'm sending this letter because you own property that borders Oceana Drive; you are therefore very directly affected by the Benedick Holdings' petition for annexation.

Prior to the November 10 hearing at the Florence Planning Commission, I'd like to be able to send them a letter that tallies the overall acceptance or rejection of that petition among property owners.

In other words, I simply want to be able to tell them, "Of the 47 homeowners who live along Oceana Drive, X% are in favor of the annexation petition, and Y% are opposed."

Will you do me a big favor and let me know where you stand?

(I don't want to influence your vote one way or another, but if you need a copy of the petition materials, let me know.)

Here's my voting scale:

1	2	3	4	5
Strongly in favor of the annexation	**Mildly in favor of the annexation**	**No opinion**	**Mildly opposed to the annexation**	**Strongly opposed to the annexation**

Here are three ways to tally your vote:

1) You can mark your choice on this letter and return it to me; just stuff it in our yellow mailbox.
2) You can send me a text or email with your choice, number 1, 2, 3, 4, or 5. (Please include your property address, so that I can mark you off my list.)
3) You can call me.

All my contact information is below — with many thanks in advance for your help.

Regards,

Bruce Hadley
4828 Oceana Dr.
Florence, OR 97439

(541) 901-1140

bwh541@gmail.com

Exhibit K74

Aleia Bailey

From: Cameron La Follette <cameron@oregoncoastalliance.org>
Sent: Tuesday, November 10, 2020 1:16 PM
To: Wendy Farley-Campbell; planningdepartment
Cc: Sean Malone
Subject: ORCA Testimony re Benedick Holdings annexation: Leave record open request

Dear Florence Planning Commission and Director Farley-Campbell,

Oregon Coast Alliance (ORCA), an Oregon nonprofit corporation whose mission is protection of coastal natural resources and community livability, submits this letter concerning the request by Benedick Holdings to annex approximately 48.82 acres of property and apply a City of Florence zoning designation to the annexed lands. The planning commission hearing is scheduled for today, November 10th.

By this letter, ORCA requests **the record in this matter be left open for seven days for further public testimony, and/or that the hearing be continued**, due to the need to review and comment on submittals made on or just before the day of the hearing.

Please submit this email into the record for the proposed Benedick Holdings annexation.

I would also like to note that the link on the city's "Benedick Annexation Petition & Zone Assignment" web page for accessing materials for the November 10 planning commission public hearing is a dead link. I was not able to access the staff report at all, and have therefore had no chance to review it. Please make the staff report, and all other information/testimony submitted, available on the main web page for the Benedick Annexation.

Thank you,

Cameron
—

Cameron La Follette
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Exhibit K 75

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November 10, 2020

VIA EMAIL (planningdepartment@ci.florence.or.us)
and FIRST-CLASS MAIL

City of Florence Planning Commission
250 Highway 101
Florence, OR 97439

Re:	PC 20 22 ANN 01 & PC 20 23 ZC 02 Benedick Holdings, LLC Annexation and Zone Change
Our Client:	Heceta South Homeowners Association, Inc.
Our File No.:	11558

Dear Planning Commissioners:

On behalf of our client, the Heceta South Homeowners Association, Inc., (hereafter "Heceta South") we hereby submit the following comments in opposition to the proposed annexation and zone change for the property located at Assessor's Map No. 18-12-10-40, Tax Lots 400 and 401, and Assessor's Map 18-12-10-34 Tax Lot 801.

Please include these comments in the record of these proceedings, and include our firm on the list of parties receiving future notices associated with this application.

As is set forth herein, the Applicant's proposed cherry-stem annexation, and zone change violates several key provisions of state and local law. For ease of reference, we will highlight the relevant provisions of law in ***bold italics*** herein. In view of these defects in the two applications, we hereby formally request that the applications be denied in their entirety.

A. The City has failed to provide notice of the public hearing to property owners along three other streets that are being evaluated as part of the application for annexation and zone change.

ORS 197.763(2)(a) requires that notice of a public hearing be provided to owners of property within at least 100 feet of the property subject to an application:

> ***Notice of hearings governed by this section shall be provided to the applicant and to owners of record of property on the most recent property tax assessment roll where such property is located:***
>
> ***(A) Within 100 feet of the property which is the subject of the notice where the subject property is wholly or in part within an urban growth boundary;***

The City of Florence Zoning Ordinance expands this notice boundary to 300 feet for a zone change, to wit:

> ***At least twenty (20) days prior to a Type III (quasi-judicial) hearing, notice of hearing shall be posted on the subject property and shall be provided to the applicant and to all owners of record of property within 100 feet of the subject property, except in case of hearings for Conditional Use Permits, Variance, Planned Unit Development and Zone Change, which notice shall be sent to all owners of record property within 300 feet of the subject property.***

FCC 10-1-1-6-3(B)(1).

In this case, notice was provided within "300 feet of the proposed annexation areas" which are identified in the application as "Oceana Drive and Assessor's Map Reference (MR) 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801" *October 6, 2020, Draft Findings*, p. 1-2.

However, the application includes an October 6, 2020 request by Lane County Transportation Planning that "the proposed annexation also include Gullsettle Court, Cloudcroft Lane, and Kelsie Way." *Id*. at 9.

The City of Florence has not provided notice with regard to this additional annexation request to all property owners within 300 feet of these streets, and has failed to provide property owners with the 20-days advance notice required by state and local law. The City's September 22, 2020 "Notice of Public Hearing" referenced the annexation and zone change of 48.82-acres of land and right-of-way of Oceana Drive. It does not reference an annexation or zone change for these three additional streets and is inadequate to inform affected parties within 300 feet of these streets (including Heceta South and its members) that an annexation and zone change is being considered for these streets.

By failing to provide affected property owners along each of these streets with notice conforming to state and local law, the City has failed to provide interested parties a hearing on these annexations, and has prejudiced their substantial rights to prepare and submit their case to the City. *Leonard v. Union County*, 24 Or LUBA 362 (1992)(County's failure to provide individual written notice to which a person is entitled is failure to provide that party a hearing).

As the City is considering the annexation and zone change of these three streets, without proper notice to impacted property owners, its process violates state and local law, and a City decision on Gullsettle Court, Cloudcroft Lane, and Kelsie Way is subject to remand.

B. Annexation

1. The Applicant's proposed cherry-stem annexation is not reasonable.

In addition to the state statutes and rules and local comprehensive plan provisions addressed herein, annexations must at a minimum be reasonable before they can be approved.

This rule was first announced in the Oregon Supreme Court case of *Portland General Electric Co. v. City of Estacada*, 194 or 145, 241 P2d 1129 (1952). In that case, the City of Estacada attempted to annex a power plant and mill by annexing a long narrow strip of land connecting PGE's 60 acres to the City of Estacada. *Id*. at 163. The Court described the shape of the cherry-stem annexation as being "likened unto a 'dumbell in shape, one end being adjacent to the city and the other embracing plaintiff's dam and powerhouse." *Id*.

The City of Estacada pointed to its authority under state law to annex contiguous territory or territory that was only separated from the City by a stream or river as providing it an "absolute right to annex continuous property irrespective of its reasonableness." *Id*. at 158. In rejecting that position and determining that the annexation was void, the Court held that:

> ***In a number of the Oregon decisions to which reference is made above, it is definitely held that where a city in annexation proceedings violates the state law the annexation is void. From time immemorial, we have consistently held that in the interpretation of state statutes relating to the enactment of legislation or ordinances by a city that the same must be exercised reasonably and not arbitrarily; therefore, in statutes empowering cities to legislate annexation proceedings, there is implied within the legislative grant that such cities must legislate reasonably and not arbitrarily, and such reasonableness is a part of the legislative grant to the same extent as it if were written literally into the statute.***
>
> ***It must be presumed that the Legislature in enacting this legislation was fully conversant with the decisions of this court that all ordinances passed by cities must be reasonable, and that it intended that annexation by cities should be effectuated reasonably. It would be absurd to think that the Legislature intended that a city would have carte blanche authority to reach out its tentacles like an octopus and envelop property which in no way could be considered as beneficial to the city or to the property annexed. If this were not so, there would be nothing to prevent the cities from attaching to themselves territory far removed from the city environs by a narrow ribbon strip, so long as the property attached was contiguous.***

Id. at 159-60.

In finding the cherry-stem annexation unreasonable in that case, the Court noted that there were several homes situated outside of the annexation area that were located closer to the City than PGE's property, and that there was "no habitation whatsoever within the boundaries of plaintiff's property." *Id*. at 163-4. The Court expressly rejected arguments that the property could provide future homesites (once served by future infrastructure) "bordering a beautiful lake recreation area," by pointing out that there is already adequate room to expand within the City proper and there was other property closer to the City but which was excluded from annexation. *Id*. Finding that the annexation was unreasonable, the Court voided the annexation.

The Applicant is proposing the same kind of cherry-stem annexation in this case. The subject 48.82-acre is not contiguous to the City. In fact, the only way to make the subject property contiguous is by relying on that "narrow ribbon strip" of right-of-way for Rhododendron Drive for almost three-quarters of a mile from the City limits at South Harbor Vista Drive, and then extend another right-of-way strip approximately half a mile along the Oceana Drive right-of-way to the subject property. This is precisely the kind of unreasonable octopus-like expansion that the Oregon Supreme Court declared void in *PGE v. Estacada*.

These narrow ribbon-strips extend to envelope an irregularly-shaped property far-removed from the City proper. *See Rivergate Resident's Ass'n v. Portland Metro Area Local Gov't Bndry Comm'n*, 70 Or App 205, 211, 689 P2d 326 (1985)("an irregularly shaped parcel raises a red flag as to the reasonableness of the annexation proposed.") In so doing, the proposed annexation bypasses large swaths of property that are already suitable and developed for residential use. The application would not include platted lots or fulfill a particular City need that must be met by annexing this property at this time. Moreover, as will be addressed in detail below, the subject property is very poorly adapted to the City's uses due to the presence of protected Goal 5 resources and buffers on most of the property which makes it unbuildable, and steep slopes and problems with a high-water table and seasonal flooding on the balance of the property.

As the proposed annexation bypasses better property on narrow ribbons of road right-of-way in order to annex a property that is poorly suited for urban development and unnecessary to meet identified needs of the City, annexation of the Applicant's property is unreasonable and should not be approved.

2. <u>The Applicant's proposed cherry-stem annexation does not provide for the orderly and economic provision of public facilities and services.</u>

The City's urbanization goal is "To provide for an orderly and efficient transition from County/rural land uses to City/urban land uses." To that end, the City's annexation policy 3

provides that the conversion of lands outside the City limits is based in part on whether there can be orderly provision of public facilities and services:

> ***Conversion of lands within the UGB outside City limits shall be based on consideration of:***
>
> ***a. orderly, economic provision for public facilities and services;***

This policy requires, at a minimum, that an applicant evaluate the availability of public facilities and services to serve the annexation area, and whether the annexation will impact on the provision of these services. The Applicant has failed to evaluate all public facility and service issues, or demonstrate that the proposed annexation will not impact the provision of these services.

a. Sanitary Sewer

The proposed findings on sanitary sewer fail to account for all impacts on existing users. The draft findings addressing sewerage provisions indicate that "there is sufficient capacity in the City's wastewater treatment facilities to serve the proposed Low Density residential uses without negatively affecting existing customers." *Draft Findings*, p. 8.

However, this ignores the fact that Florence Public Works indicates that a new "neighborhood sewer pumping station" would be necessary to serve development in the annexation area. *October 6, 2020 E-mail from Mike Miller to Aleia Bailey*, Exhibit L, p. 6. The application does not propose to provide this pumping station. Accordingly, the application does not demonstrate that orderly and economic provision of sanitary sewer service is available and denial of the annexation is appropriate.

In addition, the findings ignore impacts of this sewer line on the orderly and economic extension of sewer service to other residential property owners in the same neighborhood. The extension of the sanitary sewer line along Oceana Drive to connect to the proposed annexation area will result in the forced connection of additional properties along Oceana Drive to the City's sewer system.

The property owners on Oceana Drive use on-site waste treatment facilities. The Oregon Department of Environmental Quality (DEQ) oversees permitting of these on-site waste treatment systems. DEQ's regulations require that it must deny any permit for construction or installation of a new system, or the alteration or repair of an existing system if there is a sewerage system within 300 feet:

> ***(4) Permit denial. The agent must deny a permit is any of the following occurs:***

* * * *

(f) A sewerage system that can serve the proposed sewage flow is both legally and physically available, as described in paragraphs (A) and (B) of this subsection.

(A) Physical availability. A sewerage system is considered available if topographic or man-made features do not make connection physically impractical and one of the following applies:

(i) For a single family dwelling or other establishment with a maximum projected sewerage flow not exceeding 899 gallons, the nearest sewerage connection point from the property to be served is within 300 feet.

* * * *

(B) Legal availability. A sewerage system is deemed legally available if the system is not under a DEQ connection permit moratorium and the sewerage system owner is willing or obligated to provide sewer service.

OAR 340-071-0160(4)(f). Hence, under the applicable state regulations, property owners along Oceana Drive will no longer be able to alter or repair their existing on-site systems, and would be compelled to connect to proposed sewer line. This would be well over 50 additional properties along Oceana Drive that would be required to connect to the system.

The application does not address the impacts of these required connections all along Oceana Drive, or demonstrate that piecemeal connection of these homes outside the City limits to the City's sewer lines would provide an orderly and economic provision of these services. Accordingly, the applicant has failed to carry its burden on this issue and denial of the application is appropriate.

b. Stormwater

The application has also failed to demonstrate the availability of adequate stormwater treatment for the proposed annexation area.

The annexation area has a high seasonal water table which results in extensive groundwater flooding in and around the subject property. In 1996, the Applicant sought approval from Lane County to construct a pump and pipeline to discharge water from the adjoining Idylewood subdivision into the annexation area to alleviate severe seasonal flooding in that subdivision. As the Applicant stated:

> The proposed storm water drainage plan is intended to alleviate occasional seasonal ponding that floods up to 13 lots in the Idylewood Subdivision and First Addition to Idylewood and an 800 foot section of Sandrift Court and Gullsettle Court. It is anticipated the drainage system will operate, at most, only once or twice a year.
>
> * * * *
>
> The most significant flood event occurred in February 1996 when over two feet of water covered an approximate 4-acre area improved with dwellings, sanitation drainfields, and roads. This same area also flooded to a similar degree in 1981, and to a lesser extent in other years during periods of high winter rainfall. This situation creates more than an inconvenience. Ponded water for periods up to three weeks has damaged floor insulation, yards, landscaping, and rendered septic drainfields unusable. Flooded streets have been impassable for residents and emergency vehicles, isolating the area from normal use and services.
>
> Flooding appears to be due to a combination of a high winter groundwater table, periods of extreme rainfall, saturated soils, runoff from impervious surfaces and a lack of a natural drainage outlet. As a result, this small depression retains water as opposed to higher elevations that properly drain. The blockage or lack of natural outlets between the seasonal lakes to the east suggests that each individual lake basin retains run-off and precipitation which contributes to a higher groundwater table in the immediate area.

Benedick Special Use Permit (509-PA96-04223), p. 3-4. The Applicant sought to alleviate the flooding of this subdivision by constructing a storm pump and pipe system to collect the surface water and pump it off-site to a seasonal lake on the annexation property. *Id*. at 4.

The Applicant later abandoned this project in favor of an underground stormwater system to discharge water from Gullsettle Court offsite to Rhododendron Drive. In 2011, representatives of the County advised Lane County Commissioner Bozievich that this system had not been accepted by the County, because the Applicant had not completed the conditions for acceptance of that system. *April 18 2011 E-mail from John Petsch*, Exhibit K, B I, p. 19. Florence Public Works comments by Mike Miller confirm that these items have "never been completed" and that additional obstructions have occurred in that system since 2011. *October 6, 2020 E-mail from Mike Miller to Aleia Bailey*, Exhibit L, p. 8.

Florence Public Works confirms that the proposed annexation area will need to contend with "not only management of the surface water runoff, but also groundwater," to wit:

> During times of heavy and concentrated rain events like the flooding in 1999 and most recently in 2017, the groundwater levels become so high that it prevents surface water from infiltrating into the ground. Additionally, on the eastern boundary of the project, seasonal lakes can compound stormwater management and all elements of stormwater management will need to be analyzed and addressed in order to prevent localized flooding events. Conveyance of stormwater discharges from the subject property (emergency and overflow) will need to be thoroughly addressed in the stormwater management plan for the project. This includes an analysis of the downstream effects of discharges from their stormwater management system.

Id.

The application does not demonstrate that it is feasible for the applicant to provide on-site stormwater retention particularly during periods of peak rain events when a high- water table prevents ground infiltration. Moreover, the history of the Applicant's Idylewood subdivision reflects that off-site discharge (to the annexation area or County facilities) has been necessary to contend with the high seasonal water table. Accordingly, the application does not demonstrate that it can provide orderly and economic stormwater systems in the annexation area, or that the same are feasible, and the proposed annexation should be denied on this basis as well.

c. Streets

The application also fails to demonstrate that streets can be provided to the annexation area in an orderly and economic manner.

The Applicant proposes to access the subject property principally from Oceana Drive. *Applicant's Statement in Support*, p. 16. However, the application fails to demonstrate that this street can accommodate traffic when taking into account existing traffic volumes, or that the same conforms to applicable road standards.

As noted by Lane County transportation and confirmed by Florence Public Works, Oceana Drive is currently classified as a "local road." *October 5, 2020 Comments from Lane County Transportation Planning*, Exhibit L, p. 3. *October 6, 2020 E-mail from Mike Miller to Aleia Bailey*, Exhibit L, p. 6. The travelled way is of variable width but approximately 16 – 20 feet wide. It is not striped, has no paved shoulders, curbs, gutters, sidewalks or on-street parking areas. It is currently used for unsegregated travel by pedestrians, cyclists and vehicles. Its

current classification is based on its use of providing access only to adjacent properties. In fact, the Lane Code defines a local road as:

> ***(e) <u>Local Road or Street</u>. A road intended solely for the purpose of providing access to adjacent properties. A local road may terminate in a cul-de-sac or be part of a larger network. For the purposes of this chapter, roads functionally classified as Local Roads are County-maintained roads and do not include Public Roads that have not been accepted by the Board as County Roads, or Local Access Roads.***

LC 15.010(18)(e). *See also November 29, 2011, Kittelson & Associates, Inc., Project Memorandum #8 – Facility Standards*, p. 11, *Florence TSP* Vol. 2, p. 412 ("Local streets are primarily intended to provide access to abutting land uses.")

The application would convert Oceana Drive from a local road serving the adjacent properties to a collector street that gathers traffic from the annexation area and routes the same to the nearest arterial, Rhododendron Drive. *See* LC 15.010(18)(d)("<u>Minor Collector</u>. A road or street which gathers traffic within the neighborhood and directs it to a major collector or arterial.") *November 29, 2011, Kittelson & Associates, Inc., Project Memorandum #8 – Facility Standards*, p. 11, *Florence TSP* Vol. 2, p. 412 ("Collector streets provide some degree of access to adjacent properties, while maintaining circulation and mobility for all users.")

The application fails to demonstrate that annexation will provide an orderly and economic improvement of the street system.

Oceana Drive is substandard to meet the minimum requirements for an urban local roadway under LC 15.704. Even under these minimal standards it lacks the required paved area and on-street parking, sidewalks, and curb and gutter. *See* LC Diagrams 10 & 11. Nor is Oceana Drive suitable to meet the standards for a neighborhood collector. *See* LC 15.702 & Diagram 1. Moreover, despite proposing annexation of the entire street to the City of Florence, the application does not demonstrate that it is feasible for Oceana Drive to meet either the City's collector street standards, or its local street standards.

In addition, Florence Public Works has identified several concerns with regard to Oceana Drive – including stormwater management, settlement/tree root heave issues, pavement condition index (PCI), long-term maintenance, etc., which it indicates requires "additional analysis" before it can recommend accepting the road for the purposes of maintenance.

As Oceana Drive is substandard to meet current County of City standards, could not be accepted by the City for maintenance at this time, and the application proposed no improvements to the road infrastructure, the application does not provide for the orderly and economic provision of streets and denial of the annexation is appropriate.

Although not identified by the Applicant specifically, Lane County has proposed the annexation of other local access roads (Gullsettle Court, Cloudcroft Lane, and Kelsie Way) – LARs – as part of the application. As noted, proper notice for the annexation of has not been provided, so these roads are not properly before the City in this application.

Moreover, with regard to Kelsie Way, such a connection is not feasible due to topography and regulatory issues, and has been previously rejected by the Council.

In 2011, the Applicant sought approval of a subdivision from Lane County in the proposed annexation area. As part of that approval process, the Applicant sought a variance to connection standards to bar a connection due to the extreme topography of at the point of the proposed connection. The Applicant's engineer submitted the following opinion in support of the variance:

> County staff in their review of the variance request performed a site inspection and noted that topographic conditions present at the time of their visit supported the variance request for connection to Kelsie Way due to extreme topography…The plan continues to show no connection to Kelsie Way due to extreme topography as supported by county staff comments and shown by the updated contours.

December 1, 2011 Letter to Jerry Kendall from Clint Beecroft, EGR & Associates, Ex K, B I, p. 235. In addition to the topographic issues, the County's Prime Wildlife Zone also imposed a 50-foot buffer around the South Heceta Junction Seasonal Lakes that would have been partially located with the right-of-way of Kelsie Way as extended, and which also precluded the connection. March 14, 2012, *Idylewood 4th Addition Coastal Overlay Setbacks, EGR & Associates*, Ex. K, B I, p. 86.[1]

The City Council also considered a connection between Oceana Drive and Kelsie Way as part of the Transportation System Plan amendments in 2012. The proposed connection was identified as a potential street connection in draft documents prepared by Kittelson & Associates and was even included in a draft table of local street projects as item R-9. *See* TSP Appendix Vol 2, p. 303 (North Florence Local Street Network, Florence, Oregon Figure 5-12) & 426 (Table 2). However, the City Council removed that proposed connection from the final TSP, based on the topographic and regulatory issues identified above.

[1] Florence's Prime Wildlife Overlay District /PW also imposed a buffer around these lakes of 100-feet and which precludes topographic modification. FCC 10-19-9-F (5) and (6). This wider buffer precludes any connection between the annexation area and Kelsie Way.

Accordingly, Kelsie Way is not relevant to the annexation, and its existence does not demonstrate the existence of an economic and orderly street system to serve the annexation area.

3. The Applicant's proposed cherry-stem annexation does not conform to the comprehensive plan of the City of Florence.

The Florence Comprehensive Plan annexation policy 3(b) requires that conversion of land outside the City limits conforms to the City's comprehensive plan:

> ***Conversion of lands within the UGB outside the City limits shall be based on consideration of:***
>
> *** * * ***
>
> ***b. conformance with the acknowledged City of Florence Comprehensive Plan***;

However, the Florence Comprehensive Plan policies do not support the annexation of the proposed annexation area.

The Applicant's statement of support relies on the City's Citizen Involvement, Land Use, Residential, Housing, Public Utilities and Coastal Shorelands policies in support of its annexation. *Statement of Support*, p. 10-14 & 18-19. However, the application fails to address relevant policies which don't support annexation.

a. Citizen Involvement

The application process fails to provide for citizen involvement in accordance with the comprehensive plan and applicable state law.

Citizen Involvement Policy 3 provides that:

> ***The City Council shall ensure that a cross-section of Florence citizens is involved in the planning process, primarily through their appointments to the Planning Commission, Design Review Board, Citizen Advisory Committee and other special committees***.

That policy is being violated because the Council is not "ensur[ing] that a cross-section of Florence citizens is involved in the planning process."

As set forth in detail above, the City has failed to provide notice to property owners along Kelsie Way, Gullsettle Court or Cloudcroft Lane that these streets are being considered for annexation as well, depriving the property owners of a hearing.

In addition to this notice defect, that application is seeking to forego a public election process that would involve the City's electors in favor of a virtual meeting platform that disenfranchises elderly and low-income citizens. Again, this process deprives these citizens of their voice in these proceedings, and violates the Council's obligation to ensure that a "cross-section of Florence citizens is involved in the planning process." Furthermore, as will be addressed in greater detail below, the proposed process violates state law requirements which oblige the Council to make the decision to forego a popular vote on the application, and to fix a time and place for the voters to be heard before the Council on the annexation.

As the application violates the City's Citizen Involvement requirements, we respectfully request that the same be denied.

b. Land Use

The application violates Land Use Policy 1, which requires the City to designate areas for particular uses, based on factors including the documented need for the particular land use, the physical suitability of lands for uses, adequacy of public facilities and the transportation network, to wit:

> ***Designation and location of land use shall be made based on an analysis of documented need for land uses of various types, physical suitability of the lands for the uses proposed, adequacy of existing or planned public facilities and the existing or planned transportation network to serve the proposed land use, and potential impacts on environmental, economic, social and energy factors.***

Each of these factors weigh against the proposed annexation in this case. The application does not demonstrate that there is a documented need for the proposed housing at this location and at this time. The lands at issue are largely "unbuildable" due to the physical constraints of the site - which include steep slopes, erosive soils, and a seasonal groundwater flooding – as well as the regulatory restrictions associated with the Prime Wildlife Coastal Shorelands Overlay. Sanitary sewer is not available to the site, absent a pressurized line and pumping station which are not proposed, and no stormwater system available to address the seasonal groundwater flooding. The application does not address the existing transportation system – which is substandard to meet the current requirement of either the City or County – and does not demonstrate that the system has adequate capacity or has planned improvements that are sufficient to serve the proposed land use. In addition, no attempt is made to address the adverse environmental, economic, social and energy impacts of placing a residential subdivision in the midst of an environmentally sensitive coastal shoreland with seasonal flooding that is already severe enough to damage homes and restrict traffic circulation and fire and emergency vehicle access. As each of these factors weigh against annexation of this area, annexation of the property is contrary to this comprehensive plan policy and denial of the application is appropriate.

c. Residential

The Applicant also violates residential land use policies in Florence comprehensive plan, which require that the City discourage the residential development of areas that threaten the public health and welfare. Residential land use policy 7 provides:

> ***Residential development shall be discouraged in areas where such development would constitute a threat to the public health and welfare, or create excessive public expense. The City continues to support mixed use development when care is taken such that residential living areas are located, to the greatest extent possible, away from areas subject to high concentrations of vehicular traffic, noise, odors, glare, or natural hazards.***

The proposed annexation and zone change is to allow residential development in an area that is known to constitute a threat to public health and welfare due to groundwater flooding and steep, highly-erodible soils. As noted by Lane County public works staff, existing residents in the adjoining Idylewood subdivision have had to contend with severe and persistent flooding, sometimes lasting several weeks, and which not only damages their homes, but has also prevented access by residents and emergency services. These natural hazards require that the City of Florence discourage residential development in this area in accordance with its comprehensive plan, and warrant denial of the application.

d. Development Hazards and Constraints

The proposed annexation also violates Policy 1 of the City's Development Hazards and Constraints chapter:

> ***The City shall restrict or prohibit development in known areas of natural hazard or disaster in order to minimize risk to citizens, reduce the hazard of loss of life and economic investments, the costs of expensive protection works, and public and private expenditures for disaster relief.***

The proposed annexation is located in an area of known natural hazards including seasonal groundwater flooding and steep, highly-erodible soils. Pursuant to its comprehensive plan policies, the City is charged with restricting or prohibiting development within this area in order to minimize risk to citizens, and reduce hazards to life, property and public investment. Accordingly, denial of this annexation application is appropriate.

e. Public Facilities (Stormwater)

The application also fails to address critical policies related to stormwater management. Seasonal groundwater flooding is a recognized issue in this area. The City's Stormwater Management Plan highlighted this issue in area immediately adjoining the proposed annexation area:

> ***Problems reported in the Northwest Region mostly involve localized flooding of low-lying areas between the dunes. Gullsettle Court and Sandrift Street are low areas along the eastern edge of Idylewood development, as shown in Figure 4-6. For years, flooding has been reported from this area. During the wetter than average winter of 1981, the intersection of Oceana Drive and Sandrift Street was under 2 feet of water.***
>
> ***Recently, the return to a wet climatic cycle and construction of new homes in low area have increased the number of flooding complaints. During the past several years, local residents have pumped water out of their neighborhood to keep streets passable and prevent home from flooding. Unfortunately, the pumped water has allegedly caused problems in neighborhoods surrounding Gullsettle Court and Sandrift Street.***

Florence Stormwater Management Plan (2000), p. 4-2.

The City's Water Quantity (Flow Control) policy 11 requires that:

> ***Development shall mitigate all project impervious surfaces through retention and on-site infiltration to the maximum extent practicable. Where on-site retention is not possible, development shall detain stormwater through a combination of provisions that prevent an increased rate of flow leaving a site during a range of storm frequencies as specified in Florence City Code. Surface water discharges from onsite facilities shall be discharged to an approved drainage facility.***

The annexation application does not demonstrate that it is feasible to mitigate all impervious surfaces on-site through infiltration in all conditions or to detain such waters on site. In fact, the history of the property reflects the opposite – that even in its current vacant condition, the annexation area contributes to a high seasonal groundwater table that floods the existing streets and residences in the Gullsettle Court and Sandrift Street areas. Development of the annexation area would only exacerbate these conditions, flooding streets and homes both within the annexation area and in the existing Idylewood subdivision. Accordingly, the proposed annexation does not conform to this policy either, and denial of the application is appropriate on this basis as well.

f. Coastal Shorelands

The application proposes to annex property designated as Prime Wildlife Shorelands in the comprehensive plan. As depicted on Map 17-1, the "South Heceta Junction Seasonal Lakes" are designated as Shoreland Management Unit (MU) "Prime Wildlife."

This management unit is subject to planning priorities which are inconsistent with the annexation of this property for residential development. Coastal Shorelands policy 17 establishes policies within Prime Wildlife Management Units. Policy 17(b) provides:

> ***b. Uses shall fall within Priority 1 of the General Priority Statement (Policy 12). No use shall be permitted within a Prime Wildlife Shorelands MU unless that use is determined to be consistent with protection of natural values identified in the description of the MU.***

Priority 1 of Policy 12 is to "Promote uses which maintain the integrity of estuaries and coastal waters." The proposed low-density residential development in the annexation area does not maintain the integrity of the coastal waters, and the proposed residential uses would only adversely impact these waters by promoting inconsistent development, removing vegetation, disrupting surface and groundwater flows and interfering with wildlife habitat. This violation of Coastal Shoreland's policy 17(b) warrants denial of this application.

> ***c. For any approved development in this MU, a minimum 100' horizontal buffer zone from the coastal lakes is required.***

City public works relies on the Idylewood 4th Addition site plans for the prior Lane County subdivision proposal to evaluate the proposal. These plans do not provide a 100-foot buffer around the South Heceta Junction Seasonal Lakes. Hence, to the extent that the application is based on these prior site plans, it violates Policy 17(c) and denial is warranted.

> ***g. Development on lots less than five acres in size shall be prohibited. Where lots less than five acres existed on July 24, 1980, development may occur if in conformance with the requirements of the base zoning district and this management unit.***

The annexation is proposed for the purposes of establishing a low-density residential subdivision. The residential lots would be below five-acres in size and would be created after the measuring date of July 24, 1980. Accordingly, development on these lots is prohibited by policy 17(g), and denial of the proposed annexation is also warranted on this basis.

g. Transportation

The application also fails to demonstrate that the proposed annexation will conform to applicable transportation-related policies. These include:

> ***1. Provide safe transportation all seasons of the year through street standards that require lane widths, curvature and grades appropriate to all weather conditions.***

The annexation would result in a change to the functional classification of Oceana Drive from primarily a local road to a neighborhood collector which will draw traffic from neighbors in the annexation area and funnel those to minor arterial Rhododendron Drive. However, the application does not establish that Oceana Drive conforms to County or City standards for a neighborhood collector or for a local road. The application proposes no improvement to this road to conform to applicable street standards. As the application does not propose to conform to applicable standards, it fails to provide safe transportation for all seasons of the year and denial is appropriate on this basis as well.

> ***8. The City shall protect the function of existing and planned transportation systems as identified in the TSP through application of appropriate land use and access management techniques.***
>
> ***• Pursuant to the State Transportation Planning rule, any land use decisions which significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, level of service of the facility.***

The annexation and zone change in this case is a land use decision which would significantly affect a transportation facility by changing the functional classification of Oceana Drive. OAR 660-012-0060(1)(a). In addition, the pass-through trips from the annexation area are types or levels or travel or access that are inconsistent with Oceana Drive's current functional classification, and would also result in increased traffic volumes that may degrade the function of existing transportation facilities that are otherwise projected to perform acceptably or which are already failing or projected to fail. OAR 660-012-0060(1)(c). As the application does not ensure that these allowed land use are consistent with the function, capacity and level of service of all impacted facilities, it violates this policy and denial of the application is warranted.

> ***13. Streets, bikeways and walkways shall be designed to meet the needs of pedestrians and cyclists to promote safe and convenient bicycle and pedestrian circulation within the community. To promote bicycling and walking, marked bicycle lanes and sidewalks are required on all arterial and collector streets (other than those collectors identified as scenic drives) when those streets are***

> ***newly constructed, reconstructed, or widened to provide additional vehicular capacity. For collector streets that are identified as scenic drives, provision shall be made to adequately accommodate bicycles and pedestrians when those streets are newly constructed, reconstructed, or widened to provide additional vehicular capacity***
>
> ***Development shall provide adequate on-site circulation for vehicles, buses, bicycles, and pedestrians and shall provide off-site transportation improvements necessary to ensure that the incremental demands placed on the transportation system by the development are met.***

The annexation and zone change in this case would change the functional classification of Oceana Drive – a local access road that allows unsegregated parking, and pedestrian, bicycle, and vehicular travel on the road surface – to a neighborhood collector. The application does not provide sidewalks or bike lanes for safe and convenient bicycle and pedestrian circulation consistent with the City's transportation policy. According, the application violates this policy and denial of the application is warranted on this basis as well.

As the proposed annexation does not conform with the acknowledged City of Florence Comprehensive Plan, denial of the application is warranted.

4. <u>The Applicant's proposed cherry-stem annexation does not conform to state law</u>.

The Applicant's proposed cherry-stem annexation also fails to conform to the minimum requirements for annexation specified by statute. The applicant relies on ORS 222.120 and ORS 222.170(2) to obtain approval of the annexation without an election by either within the City of within the contiguous territory. However, neither of these statutes support annexation.

ORS 222.111(5) requires the legislative body to submit an annexation proposal to a general or special election, except only in those cases where state statue authorizes the legislative body to forego such an election:

> ***The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposals to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.***

The application does not comply with either the exception to an election by the City, or the exception of an election within the contiguous territory. As such, annexation is not appropriate.

With regard to the general election by the City, the City Council first needs to decide whether to dispense with election on the annexation, and also fix a day for the public hearing. ORS 222.120(2) provides:

> ***When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.***

This has not occurred in this case.

The legislative body of the City is the City Council. It has not considered the proposed annexation. It has not decided to dispense with an election on the proposed annexation. It has not fixed a date for a public hearing before the Council for the City's electors to be heard on the annexation. As such, there is no basis to dispense with an election on this annexation.

City staff suggest that the City Council has made this decision via adopting "Resolution No. 8, Series 2008" which "expressed the City Council's intent to dispense with any and all annexation elections both in the City and in the annexed territory whenever permitted by ORS Chapter 222." *Draft Findings*, p. 13. However, this resolution was repealed in 2010 on July 6, 2010 by Resolution No. 27, Series 2010, and is no longer enforceable. In any case, state law requires that the City Council make a case-by-case determination of whether to dispense an election on "the proposed annexation" before them. As the City Council has not decided to dispense with an election before the City on this application, it is improper for the application to rely on a public hearing under ORS 222.120(2).

Moreover, the public hearing on October 13, 2020 does not conform to ORS 222.120(2) as its date is neither fixed by the Council, and because the hearing is not held before the City Council. The draft findings suggest that the public notices of the Planning Commission hearing on October 13, 2020 meet the requirements of ORS 222.120. *Draft Findings*, p. 13 & 14. However, the City Council did not fix the October 13, 2020 date for this hearing. Moreover, the Planning Commission is not the legislative body for the City. ORS 222.120(2) mandates that if the Council is going to dispense with an election it has to listen the concerns of its electors at the public hearing it schedules, and not the Commission. As the City Council has neither fixed the date for a public hearing nor will be presiding at the hearing on October 13, 2020, that hearing provides no basis for the Applicant to avoid a general or special election under ORS 222.120(2).

The Applicant also cannot avoid an election within the contiguous territory by relying on ORS 222.170(2), because he does not have the consent of a majority of the electors within the territory.

ORS 222.170(2) provides:

> ***The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if a majority of the electors registered in the territory proposed to be annexed consent in writing to annexation and the owners of more than half of the land in that territory consent in writing to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day:***
>
> ***(a) The public hearing is held under ORS 222.120, if the legislative body dispenses with submitting the question to the electors of the city; or***
>
> ***(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the legislative body submits the question to the electors of the city.***

As conceded in the Applicant's supporting statement, "[t]here are no electors within the proposed annexation area." *Applicant's Statement in Support*, p. 10. Accordingly, the Applicant cannot provide the consent of a "majority of the electors" which, together with the consent of the owners, is a prerequisite for taking advantage of ORS 222.170(2). Accordingly, ORS 222.170(2) also does not provide a basis for approval of the annexation application.

As the application is not consistent with ORS 222.111, 222.120, or 222.170, we request that the same be denied.

C. Zone Change

The application also fails to demonstrate compliance with the applicable criteria for a zone change. These criteria are set out at 10-1-3:

> ***A. Purpose: As the Comprehensive Plan for the City is periodically reviewed and revised, there will be a need for changes of the zoning district boundaries and the various regulations of this Title. Such changes or amendments shall be made in accordance with the procedures in this Section.***

B. Type III (Quasi-Judicial) Changes:

* * * *

4. Planning Commission Review: The Planning Commission shall review the application for quasi-judicial changes and shall receive pertinent evidence and testimony as to why or how the proposed change is consistent or inconsistent with and promotes the objectives of the Florence Comprehensive Plan and Zoning Ordinance and is or is not contrary to the public interest. The applicant shall demonstrate that the requested change is consistent with the Comprehensive Plan and Zoning Ordinance and is not contrary to the public interest.

The application includes a citation to this provision at page 20 of its statement of support but does not demonstrate compliance with these criteria. Instead, the supporting statement merely reflects that a public hearing will be held and that draft findings will be prepared.[2] The application does not demonstrate compliance with the criteria applicable to a zone change. As such, we respectfully request denial of the zone change application as well.

1. <u>The Applicant's proposed zone change is not consistent with Florence Comprehensive Plan.</u>

Florence Zoning Ordinance section 4(B) requires that a proposed zone change be consistent with the Florence Comprehensive Plan. As demonstrated in detail in subsection 3 above, which is hereby incorporated by reference, the application at issue does not conform to the Florence Comprehensive Plan, and would violate key policies including citizen involvement (and, in particular, faulty notice to DLCD), land use, residential land use, development hazards and constraints, public facilities (stormwater), coastal shorelands, and transportation. As the zone change application is not consistent with the Florence Comprehensive Plan, denial of the application is warranted.

2. <u>The Applicant's proposed zone change is not consistent with the Florence Zoning Ordinance.</u>

The application also failed to meet minimum requirements for a zone change in the Florence Zoning Ordinance. Section 10-1-1-4 of the zoning code establishes minimum standards for all land use applications and petitions in Chapters 10 and 11 in the Florence Zoning Code. FCC 10-1-1-4(A) & (C).

[2] "The Planning Commission will hold a public hearing on this annexation request and quasi-judicial zone assignment. The findings of fact will be available in advance of the hearing. Annexation of the Property within the UGB is permitted if the request meets the applicable ORS and the City's urbanization policies."

These minimum standards require that an application:

> ***2. Shall identify the public facilities and access which may be needed to support the development, including but not limited to utilities and transportation infrastructure, and how they will be financed.***

The application before the Planning Commission lacks this minimum information. The application does not identify needed public utility facilities, including but not limited to sanitary sewer and stormwater infrastructure, or transportation facilities necessary to serve the proposed annexation area or demonstrate that those facilities will be made available and how the same will be financed. As the application fails to provide this mandatory minimum information necessary to evaluate key aspects of the proposed zoning, denial of the application is warranted.

In addition, the application fails to provide required transportation information. Section 10-1-1-4(E) requires that an applicant provide a traffic impact study as part of any application for a zone change in order to allow the City to evaluate capacity and safety impacts on the transportation system, and to mitigate impacts:

> ***E. Traffic Impact Studies:***
>
> ***1. Purpose of Traffic Impact Study: The purpose of a Traffic Impact Study is to determine:***
>
> ***a. The capacity and safety impacts a particular development will have on the City's transportation system;***
>
> ***b. Whether the development will meet the City's minimum transportation standards for roadway capacity and safety;***
>
> ***c. Mitigating measures necessary to alleviate the capacity and safety impacts so that minimum transportation standards are met; and***
>
> ***d. To implement section 660-012-0045(2)(e) of the State Transportation Planning Rule***
>
> ***2. Criteria for Warranting a Traffic Impact Study: All traffic impact studies shall be prepared by a professional engineer in accordance with the requirements of the road authority. The City shall require a Traffic Impact Study (TIS) as part of an application for development; a proposed amendment***

to the Comprehensive Plan, zoning map, or zoning regulations; a change in use, or a change in access, if any of the following conditions are met:

a. A change in zoning or plan amendment designation where there is an increase in traffic or a change in peak-hour traffic impact.

b. Any proposed development or land use action that may have operational or safety concerns along its facility(s), as determined by the Planning Director in written findings.

c. The addition of twenty-five (25) or more single family dwellings, or an intensification or change in land use that is estimated to increase traffic volume by 250 Average Daily Trips (ADT) or more, per the ITE Trip Generation Manual.

3. Traffic Study Requirements: In the event the City determines a TIS is necessary, the information contained shall be in conformance with FCC 10-35-2-5, Traffic Study Requirements.

The Applicant's proposed zone change application would alter the underlying area requirements from the County's suburban residential zone to the City's low-density residential zone, decreasing lot size and increasing traffic volumes and peak-hour trips. *Compare* LC 16.229(6) & FCC 10-10-4(B). Accordingly, a traffic impact study is required with this application to evaluate capacity and safety impacts and to propose mitigation to address these impacts. As the application fails to provide this mandatory minimum information necessary to evaluate transportation impacts of the proposed zoning, denial of the application is warranted on this basis as well.

The application also lacks information required to be provided for the shorelands designation. Section 10-19-9(A) requires that a land use applicant provide a preliminary investigation to locate precisely the boundaries of the feature:

Preliminary Investigation: Any land use or building permit application within the /PW District as it applies to the South Heceta Junction Seasonal Lakes shall require a preliminary investigation by the Planning Director to determine the specific area to which the requirements of the district shall apply. The requirements of the district shall apply in an area generally identified on the Florence Coastal Overlay Zoning Map and, specifically, in the site-specific information submitted by an applicant to determine whether the site possesses areas of unique biological assemblages, habitats of rare or endangered species, or a diversity of wildlife species identified in the Coastal Resources Inventory, or function to provide or affect water quality, bank stability or flood control.

The application lacks this required preliminary investigation as well. As the application fails to properly evaluate the extent of the South Heceta Junction Seasonal Lakes and the Prime Wildlife area on the property subject to the zone change, denial of the application is warranted on this basis as well.

3. The Applicant's proposed zone change does not promote the objectives of the Florence Comprehensive Plan.

The application also fails to promote the objectives of the Florence Comprehensive Plan as required by FCC 10-1-3(B)(4).

Citizen involvement objective 2 requires the City to take into account citizen input in the planning process:

> ***To take into account the desires, recommendations and needs of citizens during the planning process***.

The application attempts to short-circuit this public process by avoiding an election on the annexation by all citizens as required by state law, and, in the zone change, by seeking approval during a global pandemic, which excludes citizens from the public hearing process guaranteed by state law, and relies on a virtual hearing platform that disenfranchises the elderly and persons with low-income who cannot access the proceedings. As the application violates this objective, denial of the application is appropriate.

The application also undermines the residential land use objective of providing consistent application of development standards to future residential development. As the comprehensive plan states:

> ***Some residential subdivisions, both inside city limits and within urbanizable lands that were developed prior to 1995, have experienced infrastructure problems, stormwater deficiencies, slope failures, flooding due to high groundwater tables and invasive weed infestations. An objective of this Plan is to insure a more consistent application of development standards to future residential developments so as to avoid these problems of the past. Regardless of the type of residential development or subdivision, minimum development standards need to be provided and public or private facilities adequately maintained from the life of that development.***

Comprehensive Plan, Pages II-8 – II-9. The existing Idylewood to the east, with its "stormwater deficiencies" and pervasive "flooding due to high groundwater tables" is likely one of the "residential subdivisions" referenced in this plan objective. However, despite the history of flooding and failures to correct infrastructure defects, the application does not

demonstrate that its proposed annexation and zone change will avoid these problems of the past. It fails to demonstrate that existing or planned improvements will address issues with infrastructure including sanitary sewer or stormwater, or with the transportation system. In addition, despite the fact that the Applicant is proposing to rezone a prime wildlife area with known seasonal groundwater flooding, the Applicant has not undertaken the required analysis of the extent of the natural resources on the site or demonstrated that future residential development is consistent with the high seasonal water table. As the application fails to demonstrate compliance with this residential land use objective, denial of the application is appropriate.

The application also fails to protect significant wetlands on the property in conformance with Wetlands and Riparian objective 2 in the comprehensive plan. That objective is:

> ***2. To protect significant wetlands for their critical value in maintaining surface and groundwater quality and quantity, providing wildlife habitat, performing flood control, and enhancing the visual character of the Florence community.***

The South Heceta Junction Seasonal Lakes are designated as Palustrine Unconsolidated Bottom (PUB) significant wetlands in the Florence Area Local Wetlands and Riparian Inventory. The application proposes to zone this entire annexation area for low-density residential use, and has failed to map or evaluate the wetlands areas on the subject property. Nor does the application propose any specific measures to protect groundwater quality and quantity, provide wildlife habitat, perform flood control or enhance the visual character of the community. Accordingly, the application does not conform to this objective either and denial of the application is appropriate.

4. <u>The Applicant's proposed zone change does not promote the objectives of the Florence Zoning Ordinance.</u>

The application also fails to promote the objectives of the Florence Zoning Code. The Zoning Code objectives at section 10-1-1-3 require, amongst other objectives, that zone changes meet the goals of the Florence Comprehensive Plan, that residential development be appropriately located, and that transportation systems promote the fast and efficient movement. The application at issue does not promote any of these objectives, and denial is warranted on this basis as well.

Zoning Ordinance objective 1 is:

> ***1. To fulfill the goals of Florence's Comprehensive Plan.***

FCC 10-1-1-3(A)(1). The application does not address this standard, or compliance with any of the goals of the Florence Comprehensive Plan, and should be denied on this basis as well.

In particular, the application:

a. fails to provide an "adequate factual base" for the decision as required by the Land Use Goal;
b. fails to "conserve natural resources such as wetlands…and fish and wildlife habitat in recognition of their important environmental, social, cultural, historic and economic value" as required by the Open Spaces and Scenic, Historic, and Natural Resources Goal;
c. fails to "identify and protect known sites and/or habitat of rare, endangered and sensitive species within the City and the UGB" as required by the Rare, Threatened, Endangered and Sensitive Species Goal;
d. fails to "protect life and property from natural disasters and hazards" as required by the Development Hazards and Constraints Goal;
e. fails to provide "decent, safe and sanitary" housing as required by the Housing Goal;
f. fails to "assure that urban development in the urban growth boundary is guided and supported by types and levels of public facilities appropriate for the needs and requirements" of the area to be serviced "and that those facilities and services are provided in a timely, orderly and efficient arrangement" as provided in the Utilities, Facilities and Services Goal;
g. fails to provide "cost effective collection and treatment of wastewater consistent with projected population growth and development needs" as required by the Wastewater Collection and Treatment Goal;
h. fails to provide "a stormwater system that enhances and maintains livability through balanced, cost-effective solutions to stormwater management" as required by the Stormwater Goal;
i. fails to "maintain public safety services at levels necessary to provide quality services to future residents and visitors" as required by the Public Safety and Health-Related Services Goal;
j. fails to "create a safe transportation system," "operate transportation facilities at a level of service that is cost-effective and appropriate for the area served," "create a transportation network adequate to support existing and proposed land uses," "meet the needs of land development while protecting public safety, transportation operations and mobility of all transportation modes" as required by the Transportation Goals;
k. fails to provide "an orderly and efficient transition from County/rural land uses to City/urban land uses" as required by the Urbanization Goal; and
l. fails to "conserve, protect, where appropriate, develop and, where appropriate, restore the resources and benefits of coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat" and "to reduce the hazard to human life and property, the adverse effects on water quality, and the adverse effects on fish and wildlife habitat, resulting from the use and enjoyment of Florence's coastal shorelands" as required by the Coastal Shorelands Goal.

As the application does not fulfill the goals of the Florence comprehensive plan, it does not promote the objectives of the Zoning Ordinance and denial is warranted.

Zoning objective 3 requires that the application demonstrate that the proposed low-density housing is appropriately located:

> ***3. To provide for desirable, appropriately located living areas in a variety of dwelling types and at a suitable range of population densities, with adequate provision for sunlight, fresh air and usable open space.***

FCC 10-1-1-3(A)(3). The application does not demonstrate that the proposed low-density housing on the edge of the South Heceta Junction Seasonal Lakes and in an area of known, serious seasonal flooding is appropriately located. As the proposal does not support this objective, denial of the application is appropriate on this basis as well.

Zoning objective 6 requires a safe, fast and efficient transportation system:

> ***6. To promote safe, fast and efficient movement of people and goods without sacrifice to the quality of Florence's environment, and to provide adequate off-street parking.***

FCC 10-1-1-3(A)(6). The application does not promote this objective. Instead, it changes the functional classification for Oceana (which is already underdeveloped to comply with adequate street standards) and without providing the require traffic impact study or mitigation measures. As the application does not promote zoning objective 3, denial of the application is also appropriate on this basis.

As the application fails to demonstrate that the zone change promotes the objectives of the zoning ordinance, denial of the application is also appropriate on this basis.

5. <u>The Applicant's proposed zone change is contrary to the public interest</u>.

Finally, the proposed zone change is contrary to the public interest. The proposed zone change would allow an increased density of residents in an area with a high seasonal water table which already floods adjacent homes and streets during wet winter months. The application does not propose any improvements to physical infrastructure, despite the fact that the sanitary sewer lines cannot supply the area without a pumping station, and there is no stormwater collection or treatment system available in either Oceana Drive or the annexation area. The application does not evaluate the identified resources on the site and provides no measures to protect or preserve the prime wildlife habitat located on site. Moreover, the application proposes to alter the functional classification of Oceana Drive, but does not evaluate traffic impacts to the existing

infrastructure, or provide any form of mitigation, despite the fact that the streets are substandard for their present use.

As the application proposes a zone change for the private economic benefit of the landowner, but does not demonstrate any broader public benefit and fails to account for or mitigate the severe, substantial, long-term adverse impacts of the proposed change, the zone change is not in the public interest and denial of the application is appropriate.

Conclusion

As the public hearing on this application has not been properly noticed; the annexation is unreasonable and contrary to state statutes, the Florence Comprehensive Plan, and does not provide for the orderly and economic provision of public facilities and services; and, the zone change application is contrary to the comprehensive plan and zoning ordinance, does not promote the objectives of either, and is contrary to the public interest, we respectfully request that the application be denied.

Very truly yours,

HUTCHINSON COX

Zack P. Mittge

ZPM/gcc
Enclosures

City of Florence Resolution Index

City of Florence Resolutions
Quick Links

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2016 Resolutions

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 1, Series 2016	A Resolution authorizing the City of Florence, Oregon to enter into a single source agreement with the Automation Group, Inc. (TAG) in the amount of $124,856 for SCADA Equipment and Installation for Wells #3, #3A, #13 and #14.	1/11/16	1/11/16
Resolution No. 2, Series 2016	A Resolution establishing approval to apply for a Land and Water Conservation Fund Grant from the Oregon Parks and Recreation Department for Land Acquisition and Development to create South Rhododendron Beach / River Park, and delegating authority to the City Manager or designee to sign the application.	1/11/16	1/11/16
Resolution No. 3, Series 2016	A Resolution adopting the West Lane Emergency Operations Group Emergency Operations Plan	3/7/16	3/7/16
Resolution No. 4, Series 2016	A Resolution adopting the Public Art Guidelines for the City of Florence and establishing policies for acquisition, maintenance and deaccessioning of public art and other policies related to the City's Public Art Program.	3/7/16	3/7/16
Resolution No. 5, Series 2016	A Resolution establishing approval to apply for a Local Government Grant from the Oregon Parks and Recreation Department for the Development for Building Construction and Play Field Rehabilitation at Miller Park, and Delegating Authority to the City Manager or designee to sign the application.	3/7/16	3/7/16

City of Florence Resolution Index

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 6, Series 2016	A Resolution governing rates for solid waste services and repealing Resolution No. 5, Series 2012	4/4/16	4/4/16
Resolution No. 7, Series 2016	A Resolution establishing approval to apply for a Local Government Grant from the Oregon Parks and Recreation Department for Land Acquisition and Development to create south Rhododendron Beach / River Park, and delegating authority to the City Manager or Designee to sign the application.	4/18/16	4/18/16
Resolution No. 8, Series 2016	A Resolution establishing approval to apply for a U.S. Department of Justice Community Oriented Policing (COPS) grant in coordination with the Siuslaw School District, in order to hire a School Resource Officer.	5/16/16	5/16/16

2015 Resolutions

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 1, Series 2015	A Resolution implementing business license and criminal background check fees for medical marijuana facilities, and revoking Resolution No. 10, Series 2014	2/17/15	3/17/15
Resolution No. 2, Series 2015	A resolution establishing a policy for official city use of social media.	2/2/15	2/2/15

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 3, Series 2015	A resolution establishing approval to apply for a local government grant from the Oregon Parks and Recreation Department for rehabilitation at Pepperoaks Park, and delegating authority to the City Manager or designee to sign the application.	3/2/15	3/2/15
Resolution No. 4, Series 2015	A resolution establishing approval to apply for a local government grant from the Oregon Parks and Recreation Department for land acquisition to create South Rhododendron Beach / River Park, and delegating authority to the City Manager or designee to sign the application.	3/2/15	3/2/15
Resolution No. 5, Series 2015	A resolution establishing approval to apply for a local government grant from the Oregon Parks and Recreation Department for the development of a bike interpretive wayside on the west side of Hwy 101 and North of the Siuslaw River Bridge, and delegating authority to the City Manager or designee to sign the application.	3/2/15	3/2/15
Resolution No. 6, Series 2015	A Resolution transferring 2014-15 Budget Appropriations from General Fund Contingency to Administration	3/16/15	3/16/15
Resolution No. 7, Series 2015	A Resolution Establishing a City of Florence Public Art Committee – Resolution Repealed by Ordinance No. 3, Series 2016	4/20/15	4/20/15 – Repealed by Ord. 3, 2016
Resolution No. 8, Series 2015	A Resolution establishing a City of Florence Economic Development Committee – Revoked by Resolution No. 16, Series 2015	5/18/15	5/18/15 – Revoked by Resolution No. 16, Series 2015
Resolution No. 9, Series 2015	A Resolution Approving Application for Transportation and Growth Management Program Funds	6/1/15	6/1/15

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 10, Series 2015	A Resolution declaring the City's Election to Receive State Shared Revenues	6/1/15	6/1/15
Resolution No. 11, Series 2015	A Resolution Certifying the City's Eligibility to Receive State-Shared Revenues	6/1/15	6/1/15
Resolution No. 12, Series 2015	A Resolution extending the City of Florence's worker's compensation coverage to the volunteers of the City of Florence for the Policy Year 2015-2016.	6/1/15	6/1/15
Resolution No. 13, Series 2015	A Resolution adopting the 2015-2016 Budget, Making Appropriations and Imposing and Categorizing Ad Valorem Taxes	6/1/15	7/1/15
Resolution No. 14, Series 2015	A Resolution approving increases to water, wastewater, stormwater utility rates and street maintenance fees.	6/15/15	7/1/15
Resolution No. 15, Series 2015	A Resolution adopting 2014-2015 Budget Appropriation Transfers	6/15/15	6/15/15
Resolution No. 16, Series 2015	A Resolution amending the structure of the City of Florence Economic Development Committee to allow for additional ex-officio members, and revoking Resolution No. 8, Series 2015	6/15/15	6/15/15

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 17, Series 2015	A Resolution authorizing the City of Florence to accept a coastal zone management grant from the Oregon Department of Land Conservation and Development.	7/6/15	7/6/15
Resolution No. 18, Series 2015	A Resolution authorizing the City Manager to execute various agreements for recurring services provided to the City of Florence	7/6/15	7/6/15
Resolution No. 19, Series 2015	A Resolution amending Resolution No. 18, Series 2013, a Resolution of the of the City of Florence adopting the 2014 City of Florence Personnel Handbook, in order to clarify the title of the City of Florence Employee Handbook and implement amendments to the Pay Administration Section of the City of Florence's Employee Handbook.	7/6/15	7/6/15
Resolution No. 20, Series 2015	A Resolution authorizing the City of Florence, Oregon to enter into a single source agreement with Rebuild-it Services Group in the amount of $49,281.00 to rebuild a Walker Drive unit for the Wastewater Treatment Plant Clarifier	7/20/15	7/20/15
Resolution No. 21, Series 2015	A Resolution authorizing the execution and delivery of a full faith and credit financing agreement and note for the purpose of financing and refinancing real and personal property; designating an authorized representative, special counsel and financial advisor, authorizing an intergovernmental agreement with the agency; and related matters.	8/24/15	8/24/15
Resolution No. 22, Series 2015	A Resolution authorizing the City of Florence, Oregon to accept a local government grant from the Oregon Parks and Recreation Department for rehabilitation of Pepperoaks Park.	10/5/15	10/5/15

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 23, Series 2015	A Resolution authorizing the City of Florence, Oregon to enter into an interstate associate membership agreement with King County Directors' Association	10/19/15	10/19/15
Resolution No. 24, Series 2015	A Resolution sustaining the appellant's objection to condition 12 of PC 15 18 PUD 02, an application to modify East Bank Final PUD to permit 54 Single Family Homes	11/2/15	11/2/15
Resolution No. 25, Series 2015	Resolution Approval Postponed until future Council Meeting Date		
Resolution No. 26, Series 2015	A Resolution establishing a policy for the City Council grant program	11/2/15	11/2/15

2014 Resolutions

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 1, Series 2014	A Resolution amending Appendix A to Resolution No. 29, Series 2002 regarding the generation of transportation trips per unit for calculating street system development charges for various levels of development.	2/3/14	2/3/14

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 2, Series 2014	A Resolution authorizing the City of Florence, Oregon to enter into a financing agreement with Oregon Pacific Bank for a $400,000 five (5) year loan to finance two 2014 capital infrastructure projects.	5/5/14	5/5/14
Resolution No. 3, Series 2014	A Resolution repealing Resolution No. 7, Series 2013 and amending Water and Wastewater Rates	6/2/14	7/1/14
Resolution No. 4, Series 2014	A Resolution declaring the City's election to receive state revenues	6/2/14	6/2/14
Resolution No. 5, Series 2014	A Resolution certifying the City's eligibility to receive state-shared revenues	6/2/14	6/2/14
Resolution No. 6, Series 2014	A Resolution adopting the 2014-2015 Budget, making appropriations, and imposing and categorizing ad valorem taxes.	6/2/14	6/2/14
Resolution No. 7, Series 2014	A Resolution repealing Resolution No. 11, Series 2013 and updating System Development Charges based on annual indexing per the engineering news record (ENR).	6/2/14	7/1/14
Resolution No. 8, Series 2014	A Resolution repealing Resolution No. 12, Series 2013 and amending water and wastewater connection fees.	6/2/14	7/1/14

City of Florence Resolution Index

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 9, Series 2014	A Resolution repealing Resolution No. 20, Series 2012 and amending Florence Events Center Facility Rental Rates	6/2/14	7/1/14
Resolution No. 10, Series 2014	A Resolution amending Business License Fees and Revoking Resolution No. 5, Series 2008 and Resolution No. 32, Series 2009 – Revoked by Resolution No. 1, Series 2015	6/2/14	7/1/14 – Resolution Revoked
Resolution No. 11, Series 2014	A Resolution extending the City of Florence's workers' compensation coverage to volunteers of the City of Florence for the policy year 2014-2015.	6/2/14	7/1/14
Resolution No. 12, Series 2014	A Resolution upholding Planning Commission Resolution PC 14 08 APP 01, affirming an administrative decision to require Fred Calosso, Applicant, to remove a sheet metal fence at 1231 18th Place from the Kingwood Street right-of-way as part of Condition #3 of Administrative Decision AR 14 03 DR 02.	7/7/14	7/7/14
Resolution No. 13, Series 2014	A Resolution consenting to the assignment of a water franchise agreement to Heceta Water People's Utility District. – Resolution Repealed by Ordinance No. 1, Series 2016	7/7/14	7/7/14 – Repealed by Ord. 1, 2016
Resolution No. 14, Series 2014	A Resolution calling for an election within the City referring to the voters a measure for the adoption of an ordinance imposing a business license tax on motor vehicle fuel dealers and providing for administration, enforcement, and collection of the tax. – Resolution not passed by vote	7/21/14	Resolution not passed by vote
Resolution No. 15, Series 2014	A Resolution authorizing the City of Florence to accept a Coastal Zone Management Grant from the Oregon Department of Land Conservation and Development for Planning related expenses within Oregon's Federally-Approved Coastal Zone.	7/21/14	7/21/14

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 16, Series 2014	A Resolution in support of the application to Oregon Housing and Community Services for financing of Munsel Lake Village Apartments in Florence, Lane County, Oregon.	7/21/14	7/21/14
Resolution No. 17, Series 2014	A Resolution authorizing the City of Florence, Oregon to enter into a single source agreement with Xylem Water Solutions USA, Inc. in the amount of $57,160.29 to purchase FLYGT N Series Pumps, Motors and Accessories to rehabilitate/upgrade the Siuslaw Village and Willow Dunes Sewer Pump Stations.	8/4/14	8/4/14
Resolution No. 18, Series 2014	A Resolution Amending Resolution No. 6, Series 2007 to adjust the fee structure to eliminate $250 Investigative fee surcharge	10/6/14	10/6/14
Resolution No. 19, Series 2014	A Resolution of the City Council establishing Tax Rates for the sale of Marijuana and Marijuana-Infused Products in the City of Florence – Amended by Resolution No. 19, Series 2015	10/20/14	11/19/14 – Amended by Resolution No. 19, Series 2015
Resolution No. 20, Series 2014	A Resolution establishing approval for an updated West Lane Emergency Operations Group Intergovernmental Agreement.	11/17/14	11/17/14

2013 Resolutions

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 1, Series 2013	A Resolution declaring the recent collapse of the 84-inch culvert conveying Munsel Creek under Spruce Street at 12th Street an emergency situation requiring immediate repairs to the culvert.	1/22/13	1/22/13

City of Florence Resolution Index

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 2, Series 2013	A Resolution Establishing the City of Florence Post Issuance Compliance Policy	3/4/13	3/4/13
Resolution No. 3, Series 2013	A Resolution initiating amendments to the Florence Realization 2020 Comprehensive Plan ("Comprehensive Plan") and Florence city code (FCC) for Aquifer Protection and Wetlands and Riparian Corridors; and Amendments for Housekeeping and Internal Consistency	4/15/13	4/15/13
Resolution No. 4, Series 2013	A Resolution approving the Siuslaw Estuary Trail Vision: Preferred Location and Design	4/15/13	4/15/13
Resolution No. 5, Series 2013	A Resolution authorizing the issuance and negotiated sale of a general obligation refunding bond, Series 2013 to refund all of the outstanding principal of the City's general obligation water improvement bonds, Series 2003; designating an authorized representative and bond counsel.	4/15/13	4/15/13
Resolution No. 6, Series 2013	A Resolution authorizing the City of Florence, Oregon to enter into a single source agreement with Christensen Well Drilling Company, in the amount of $90,189.90 to drill a replacement well for Well #3.	5/6/13	5/6/13
Resolution No. 7, Series 2013	A Resolution repealing Resolution No. 14, Series 2012 and amending water and wastewater rates. – REPEALED BY RESOLUTION NO. 3, SERIES 2014	6/17/13	7/1/13 - REPEALED
Resolution No. 8, Series 2013	A Resolution declaring the City's election to receive state revenues.	6/17/13	6/17/13
Resolution No. 9, Series 2013	A Resolution certifying the City's eligibility to receive state-shared revenues.	6/17/13	6/17/13
Resolution No. 10, Series 2013	A Resolution adopting 2013-2014 budget, making appropriations, imposing and categorizing ad valorem taxes	6/17/13	6/17/13
Resolution No. 11, Series 2013	A Resolution repealing Resolution No. 18, Series 2012 and updating system development charges based on annual indexing per the engineering news record (ENR). – RESOLUTION REPEALED BY RESOLUTION NO. 11, SERIES 2014	6/17/13	7/1/13 - REPEALED

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 12, Series 2013	A Resolution repealing Resolution 19, Series 2012 and amending water and wastewater connection fees. – RESOLUTION REPEALED BY RESOLUTION NO. 12, SERIES 2013	6/17/13	7/1/13 - REPEALED
Resolution No. 13, Series 2013	A Resolution extending the City of Florence's workers' compensation coverage to volunteers of the City of Florence for the policy year 2013-2014.	6/17/13	6/17/13
Resolution No. 14, Series 2013	A Resolution in support of the application to Oregon Housing and Community Services for financing of Munsel Lake Village Apartments in Florence, Lane County, Oregon.	8/5/13	8/5/13
Resolution No. 15, Series 2013	A Resolution authorizing the City of Florence to accept a Coastal Zone Management Grant from the Oregon Department of Land Conservation and Development for planning related expenses within Oregon's federally-approved coastal zone.	8/19/13	8/19/13
Resolution No. 16, Series 2013	A Resolution amending Resolution No. 6 Series 2007, to adjust the fee structure for mechanical fees.	8/19/13	8/19/13
Resolution No. 17, Series 2013	A resolution authorizing the City of Florence, Oregon, to enter into a sole source agreement with Utility services Company, Inc. in the amount of $250,000 to complete repairs, including removal and reinstallation of protective coating systems, for water storage tanks and enter into a full service maintenance agreement.	11/18/13	11/18/13
Resolution No. 18, Series 2013	Repeal Resolution No. 30, Series 2009, a resolution of the City of Florence adopting a personnel handbook and adopting Resolution No. 18, Series 2013, a resolution adopting the 2014 City of Florence Personnel Handbook	11/18/13	11/18/13

2012 Resolutions

Resolution Number	Short Title	Date Passed by Council	Effective Date

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 1, Series 2012	A Resolution supporting application in the 2012 Recreational Trails Program offered by Oregon State Parks and Recreation Department – **Not Passed**	Presented to Council 1/3/12	**Not Passed**
Resolution No. 2, Series 2012	A Resolution granting an adjustment to the frequency at which the sign copy or image may change for Siuslaw Valley Fire and Rescue's readerboard sign at 2625 Highway 101	2/21/12	2/21/12
Resolution No. 3, Series 2012	A Resolution establishing a City of Florence wellness program	3/5/12	3/5/12
Resolution No. 4, Series 2012	A Resolution in support of the application to Oregon Housing and Community Services for financing of Munsel Lake Village Apartments in Florence, Lane County, Oregon.	3/19/12	3/19/12
Resolution No. 5, Series 2012	A Resolution governing rates for solid waste services and repealing Resolution No. 7, Series 2011 – REPEALED BY RESOLUTION NO. 6, SERIES 2016	3/19/12	3/19/12 – Repealed by Res. 6, 2016 (effective 4/4/16)
Resolution No. 6, Series 2012	A Resolution for inclusion under the State of Oregon Deferred Compensation Plan (State of Oregon Deferred Compensation Investment Program, also known as the Oregon Savings Growth Plan)	3/19/12	3/19/12
Resolution No. 7, Series 2012	A Resolution adjusting the sign permit fees and amending Resolution No. 6, Series 2007	4/16/12	4/16/12
Resolution No. 8, Series 2012	A Resolution setting the maximum charge allowed on a credit card. – **Not Passed**	Presented to Council 4/2/12	**Not Passed**
Resolution No. 9, Series 2012	A Resolution authorizing the City of Florence, Oregon to enter into a single source agreement with the Automation Group, Inc. in the amount of $317,140 for the upgrade of the wastewater SCADA Radio telemetry system.	4/16/12	4/16/12

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 10, Series 2012	A Resolution Amending Yard Debris Disposal Fees and Repealing Resolution No. 6, Series 2010	5/7/12	6/1/12
Resolution No. 11, Series 2012	A Resolution adopting 2011-12 supplemental budget and making appropriations	6/4/12	6/4/12
Resolution No. 12, Series 2012	A Resolution setting a street maintenance fee	6/4/12	7/4/12
Resolution No. 13, Series 2012	A Resolution to repeal Resolution No. 15, Series 2009, a resolution establishing a street light utility fee	6/4/12	7/4/12
Resolution No. 14, Series 2012	A Resolution amending water and wastewater rates (and amending Resolution No. 10, Series 2011, and Repealing Resolution No. 26, 2010) – Effectively replaced by Resolution No. 3, Series 2014	6/4/12	7/1/12 – Effectively replaced by Resolution No. 3, Series 2014
Resolution No. 15, Series 2012	A Resolution declaring the City's election to receive State-Shared Revenues	6/4/12	6/4/12
Resolution No. 16, Series 2012	A Resolution certifying the City's eligibility to receive State Shared Revenues	6/4/12	6/4/12
Resolution No. 17, Series 2012	A Resolution adopting 2012-2013 Budget, Making Appropriations, Imposing and Categorizing Ad Valorem Taxes	6/4/12	7/1/12
Resolution No. 18, Series 2012	A Resolution repealing Resolution No. 15, Series 2011, and updating System Development Charges based on Annual Indexing per the Engineering News Record (ENR) – Effectively Replaced by Resolution No. 11, Series 2013	6/4/12	7/1/12 – Effectively replaced by Resolution No. 11, Series 2013
Resolution No. 19, Series 2012	A Resolution amending Resolution No. 18, Series 2011, Repealing Resolution No. 19, Series 2006, and Amending Water and Wastewater Connection Fees – Effectively replaced by Resolution No. 8, Series 2014	6/4/12	7/1/12 – Effectively replaced by Resolution No. 8, Series 2014

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 20, Series 2012	A Resolution repealing Resolution No. 17, Series 2011, and amending Florence Events Center Rental Rates – RESOLUTION REPEALED BY RESOLUTION NO. 9, SERIES 2014	6/4/12	7/1/12 - REPEALED
Resolution No. 21, Series 2012	A Resolution Amending Florence Events Center Ticketing Fees	6/4/12	7/1/12
Resolution No. 22, Series 2012	A Resolution extending the City of Florence's Workers' Compensation Coverage to Volunteers of the City of Florence for the Policy Year 2012-2013	6/4/12	6/4/12
Resolution No. 23, Series 2012	A Resolution authorizing the City of Florence to accept a Coastal Zone Management Grant from the Oregon Department of Land Conservation and Development for Planning related expenses with Oregon's Federally-Approved Coastal Zone.	6-18-12	7-1-12
Resolution No. 24, Series 2012	A Resolution authorizing the City of Florence, Oregon to accept an urban waters protection grant from the US Environmental Protection Agency for continuing the surface and groundwater monitoring program	7-16-12	7-16-12
Resolution No. 25, Series 2012	A Resolution authorizing the City of Florence, Oregon to accept Transportation Enhancement Funding from the Oregon Department of Transportation for construction of a multi-use path along Rhododendron Drive from 9th Street to Wildwinds	7-16-12	7-16-12
Resolution No. 26, Series 2012	A Resolution authorizing the City of Florence, Oregon to accept a waste diversion opportunity grant from Lane County for purchase of equipment to begin a biosolids composting program	8-20-12	8-20-12
Resolution No. 27, Series 2012	A Resolution authorizing the City of Florence, Oregon to enter into a single source agreement with the Automation Group, Inc. in the amount of $59,860 for the upgrade of the water scada radio telemetry system.	9-10-12	9-10-12

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 28, Series 2012	A Resolution Establishing a City Donation Policy Program.	10-8-12	10-8-12
Resolution No. 29, Series 2012	A Resolution Authorizing the City of Florence, Oregon to enter into a single source purchase agreement in the amount of $74,500 with Sustainable Generation LLC for a covered aerated static pile "on-floor" composting system for producing class "A" biosolids	11-5-12	11-5-12
Resolution No. 30, Series 2012	Resolution Approving the Siuslaw Bank Financing Agreement whereby the Borrower finances and/or refinances certain real or personal property; and Authorizing the Officers of the Borrower to execute the Financing Agreement and such other documents and certificates as may be necessary to carry out the transactions contemplated by the aforementioned Agreement.	11-5-12	11-5-12
Resolution No. 31, Series 2012	A Resolution Establishing the City of Florence Credit Card Policy	11-19-12	11-19-12
Resolution No. 32, Series 2012	A Resolution Memorializing the City of Florence Fraud Policy	12/17/12	12/17/12

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2011 Resolutions

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 1, Series 2011	A Resolution to amend Planning / Land Use Application Fees and Repealing Resolutions 41, Series 1998 and Resolution 11, Series 2005	1/3/11	1/3/11
Resolution No. 2, Series 2011	A Resolution to add an administrative technology surcharge for building permits – Repealed by Resolution No. 21, Series 2011	1/3/11	Repealed by Resolution No. 24, Series 2011 (Effective 9-7-11)
Resolution No. 3, Series 2011	A Resolution adopting a 2010-2011 supplemental budget and making appropriations	1/18/11	1/18/11
Resolution No. 4, Series 2011	A Resolution acknowledging the Florence Parks and Recreation Master Plan, 2011.	2/18/11	2/18/11
Resolution No. 5, Series 2011	A Resolution to amend planning / land use application fees	4/4/11	4/22/11
Resolution No. 6, Series 2011	Joint Resolution of the City Council and Local Public Contract Review Board opting out of the Attorney General's Model Public Contracting Rules and adopting Public Contracting Rules for the City of Florence.	5/4/11	5/4/11
Resolution No. 7, Series 2011	A Resolution governing rates for solid waste services and repealing Resolution No. 34, Series 2010 - REPEALED	5/16/11	Repealed by Resolution No. 5, Series 2012
Resolution No. 8, Series 2011	A Resolution establishing a policy for the maintenance of public alleyways within the City.	6/8/11	6/8/11
Resolution No. 9, Series 2011	A Resolution adopting a 2010-2011 supplemental budget and making appropriations	6/20/11	6/20/11
Resolution No. 10, Series 2011	A Resolution amending water and stormwater rates – AMENDED BY RESOLUTION NO. 14, SERIES 2012	6/20/11	7/1/11 – Amended by Res. 14, 2012

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 11, Series 2011	A Resolution amending Florence Municipal Airport hangar lease rates	6/20/11	7/1/11
Resolution No. 12, Series 2011	A Resolution declaring the City's election to receive state-shared revenues	6/20/11	6/20/11
Resolution No. 13, Series 2011	A Resolution certifying the City's eligibility to receive state-shared revenues	6/20/11	6/20/11
Resolution No. 14, Series 2011	A Resolution adopting 2011-2012 budget, making appropriations, imposing and categorizing ad valorem taxes – AMENDED BY RES. 11, 2012	6/20/11	7/1/11 – Amended by Res. 11, 2012
Resolution No. 15, Series 2011	A Resolution updating system development charges based on annual indexing per the Engineering News Record (ENR) – REPEALED BY RESOLUTION NO. 18, SERIES 2012	6/20/11	7/1/11 – Repealed by Res. 18, 2012
Resolution No. 16, Series 2011	A Resolution extending the City of Florence's workers compensation coverage to volunteers of the City of Florence for the policy year 2011-2012	6/20/11	6/20/11
Resolution No. 17, Series 2011	A Resolution amending Florence Events Center Facility Rental Rates – REPEALED BY RESOLUTION NO. 20, SERIES 2012	6/20/11	7/1/11 – Repealed by Res. 20, 2012
Resolution No. 18, Series 2011	A Resolution amending water and wastewater connection fees – AMENDED BY RESOLUTION NO. 19, SERIES 2012	6/20/11	7/1/11 – Amended by Res. 19, 2012
Resolution No. 19, Series 2011	A Resolution authorizing the exchange of city real property between the City of Florence and the Parkinson Living Trust	7/5/11	7/5/11
Resolution No. 20, Series 2011	A Resolution setting the fines for violation of prohibited parking violation pursuant to Title 7 Chapter 1 Section 11 of the Florence City Code	7/5/11	8/8/11

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 21, Series 2011	A Resolution approving the financing agreement whereby the borrower finances and/or refinances certain real or personal property; and authorizing the officers of the borrower to execute the financing agreement and such other documents and certificates as may be necessary to carry out the transactions contemplated by the aforementioned agreement.	7/18/11	7/18/11
Resolution No. 22, Series 2011	A Resolution authorizing the City of Florence to accept a Coastal Zone Management grant from the Oregon Department of Land Conservation and Development for planning related expenses within Oregon's federally-approved coastal zone.	7/18/11	7/18/11
Resolution No. 23, Series 2011	A Resolution establishing a City of Florence Audit Committee	8/15/11	8/15/11
Resolution No. 24, Series 2011	A Resolution to repeal Resolution No. 2, Series 2011 which added an administration technology surcharge for building permits	9/6/11	9/7/11
Resolution No. 25, Series 2011	A Resolution approving the Oregon Pacific Bank financing agreement whereby the borrower finances and/or refinances certain real of personal property; and authorizing the officers of the borrower to execute the financing agreement and such other documents and certificates as may be necessary to carry out the transactions contemplated by the aforementioned agreement.	9/6/11	9/7/11
Resolution No. 26, Series 2011	A Resolution adopting a long range financial plan for a five year period (2011-2016)	10/10/11	10/10/11
Resolution No. 27, Series 2011	A Resolution establishing immunity from certain personal injury or property damage claims described in house bill 2865 (2011)	12/19/11	12/19/11

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2010 Resolutions

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 1, Series 2010	A Resolution setting a fee for an appeal of a civil administrative penalty	1/4/10	1/4/10
Resolution No. 2, Series 2010	A Resolution authorizing the City of Florence, Oregon to accept a loan agreement in the amount of $4,923,260 from the Clean Water State Revolving Fund, loan agreement R33422, between the State of Oregon, acting through it's Department of Environmental Quality and the City of Florence	1/19/10	1/19/10
Resolution No. 3, Series 2010	A Resolution establishing an executive session news media attendance policy	1/19/10	1/19/10
Resolution No. 4, Series 2010	A Resolution authorizing the exchange of City real property between the City of Florence and Florence Habitat for Humanity	2/1/10	2/1/10
Resolution No. 5, Series 2010	A Resolution establishing a trust and agency fund in the Florence City Budget for the benefit of the Boosters Senior Center, Inc.	2/1/10	2/1/10
Resolution No. 6, Series 2010	A Resolution establishing and setting a fee for yard debris disposal at the Florence Airport – **Repealed by Resolution No. 10, Series 2012**	2/16/10	2/16/10 – **Repealed**
Resolution No. 7, Series 2010	A Resolution proposing annexation of properties within the City to Siuslaw Valley Fire and Rescue	2/24/10	2/24/10
Resolution No. 8, Series 2010	A Resolution calling for an election within the City of Florence on the question of annexation of the Properties within the City to Siuslaw Valley Fire and Rescue - AMENDED WITH RESOLUTION NO. 8, SERIES 2010	2/24/10	2/24/10
Resolution No. 9, Series 2010	A Resolution instructing the budget officer to prepare the city budget using less than the City's full permanent property tax rate after annexation of properties within the City to Siuslaw Valley Fire and Rescue	2/24/10	2/24/10

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 10, Series 2010	A Resolution amending Resolution No. 8, Series 2010 amending the ballot title (Exhibit A)	3/8/10	3/8/10
Resolution No. 11, Series 2010	A Resolution authorizing the submission of the application for the designation of the Florence Enterprise Zone	3/15/10	3/15/10
Resolution No. 12, Series 2010	A Resolution endorsing the proposed bylaws for the Lane Area Commission on Transportation (LACT)	5/3/10	5/3/10
Resolution No. 13, Series 2010	A Resolution of the City of Florence, Oregon, amending Resolution No. 28, Series 2009 authorizing limited tax improvements bonds for the Spruce Street Local Improvement District to add a full faith and credit pledge and providing for related matters	5/28/10	5/28/10
Resolution No. 14, Series 2010	A Resolution establishing jail work release program fees	6/7/10	6/7/10
Resolution No. 15, Series 2010	A Resolution exercising the power of eminent domain	6/7/10	6/7/10
Resolution No. 16, Series 2010	A Resolution adopting a 2009-2010 Supplemental Budget and making appropriations	6/21/10	6/21/10
Resolution No. 17, Series 2010	A Resolution transferring appropriations	6/21/10	6/21/10
Resolution No. 18, Series 2010	A Resolution amending water rates	6/21/10	7/1/10
Resolution No. 19, Series 2010	A Resolution amending wastewater rates - REPEALED BY RESOLUTION NO. 26, SERIES 2010	6/21/10	Repealed by Res. 26, 2010
Resolution No. 20, Series 2010	A Resolution declaring the City's election to receive state shared revenues	6/21/10	6/21/10

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 21, Series 2010	A Resolution certifying the City's eligibility to receive state shared revenues	6/21/10	6/21/10
Resolution No. 22, Series 2010	A resolution adopting 2010-2011 budget, making appropriations, imposing and categorizing ad valorem taxes	6/21/10	6/21/10
Resolution No. 23, Series 2010	A Resolution updating system development charges based on annual indexing per the engineering news record (ENR) – Effectively replaced by Resolution No. 15, Series 2011	6/21/10	7/1/10 – Effectively replaced by Resolution No. 23, Series 2010
Resolution No. 24, Series 2010	A Resolution extending the City of Florence's workers compensation insurance to volunteers of the City of Florence for the Policy year 2010-2011	6/21/10	6/21/10
Resolution No. 25, Series 2010	A Resolution authorizing the City of Florence to accept a Coastal Zone Management Grant from the Oregon Department of Land Conservation and Development for Planning related expenses within Oregon's Federally-Approved coastal zone	6/21/10	6/21/10
Resolution No. 26, Series 2010	A Resolution repealing Resolution No. 19, Series 2010 and Amending the Wastewater Rates – REPEALED BY RESOLUTION NO. 14, SERIES 2012	7/6/10	7/6/10 – Repealed by Res. 14, 2012
Resolution No. 27, Series 2010	A resolution repealing Resolution No. 26, Series 2007 and Resolution No. 8, Series 2008 and establishing the City's Policy with Regards to Withdrawl of Property from the Heceta Water District	7/6/10 Repealed	7/6/10 – Repealed by Res. No. 27, 2010
Resolution No. 28, Series 2010	A Resolution modifying annexation procedures	7/6/10	7/6/10
Resolution No. 29, Series 2010	A Resolution authorizing the City of Florence to apply for Urban Trails Funds from the Oregon Department of Transportation for Construction of the Rhododendron Multi-Use Path	7/6/10	7/6/10

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 30, Series 2010	A Resolution authorizing the City of Florence to apply for Transportation Enhancement Program funds from the Oregon Department of Transportation for construction of the Rhododendron Drive Multi-Use Path.	7/6/10	7/6/10
Resolution No. 31, Series 2010	A Resolution authorizing the City of Florence to apply for pedestrian and bicycle improvement grant program funds from the Oregon Department of Transportation for construction of bicycle and pedestrian improvements along Rhododendron Drive	7/6/10	7/6/10
Resolution No. 32, Series 2010	A Resolution amending Resolution No. 2, Series 2007 and Resolution No. 11, Series 2005, reducing architectural review application fees for Urban Renewal preservation and rehabilitation program projects equal to or less than $5,000	8/16/10	8/16/10
Resolution No. 33, Series 2010	A Resolution authorizing the City of Florence, Oregon to enter into a single source three (3) month rental agreement in the amount of $28,500 with Cedar Grove Systems LLC for a covered aerated static pile "on-floor" composting unit for management of the City's Class "A" biosolids as approved by the City Council on October 12, 2009 (approval of a type of management program) – Repealed by Resolution No. 33, Series 2010	8/16/10	Repealed by Resolution no. 33, Series 2010
Resolution No. 34, Series 2010	A Resolution governing rates for solid waste services and repealing Resolution No. 33, Series 2010 – Repealed by Resolution No. 7, Series 2011	9/7/10	10/7/10 – Repealed by Resolution No. 7, Series 2011
Resolution No. 35, Series 2010	A Resolution to the City of Florence, Oregon authorizing the financing of certain capital costs and the refinancing of outstanding obligations to be secured by the City's full faith and credit	9/20/10	9/20/10
Resolution No. 36, Series 2010	A Resolution establishing a grant policy	11/15/10	11/15/10

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2009 Resolutions

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 1, Series 2009	"NO TITLE" - Adoption of the "City of Florence Multi-Jurisdictional Natural Hazards Mitigation Plan"	1/5/09	1/5/09
Resolution No. 2, Series 2009	A Resolution adding a new fee for a traffic safety course offered by officers of the Florence Police Department.	1/26/09	1/26/09
Resolution No. 3, Series 2009	A Resolution in support of the Munsel Lake Village affordable housing project proposal submitted to the Housing and Community Services Agency (HACSA) of Lane County	2/2/09	2/2/09
Resolution No. 4, Series 2009	A Resolution in support of forming an Area Commission on Transportation (ACT) for the Lane County region	3/2/09	3/2/09
Resolution No. 5, Series 2009	A Resolution authorizing the City Manager to be the certifying officer for the CDBG grant for the Florence Senior Center	3/2/09	3/2/09
Resolution No. 6, Series 2009	A Resolution establishing a policy of nondiscrimination on the basis of handicapped status	3/2/09	3/2/09
Resolution No. 7, Series 2009	A Resolution establishing a fair housing policy for the City of Florence	3/2/09	3/2/09
Resolution No. 8, Series 2009	A Resolution authorizing the termination of the covenants, conditions, and restrictions of the Pacific View Business Park	3/16/09	3/16/09
Resolution No. 9a, Series 2009	A Resolution authorizing the City of Florence to apply for the Transportation and Growth Management Program funds from the Oregon Department of Transportation for an updated Transportation System Plan (TSP), updated Community Transit Plan, and updated Capital Improvement Program (CIP) project list and cost estimates for 20-year transportation projects.	3/16/09	Authorized

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 9b, Series 2009	A Resolution establishing a public records request policy and establishing fees for recovering City expenses incurred in responding to requests from the public for documents and public records and amending pervious resolutions enacting these fees – Repealed by Resolution No. 11, Series 2009	4/20/09	4/20/09 – Repealed by Resolution No. 11, Series 2009
Resolution No. 10, Series 2009	A Resolution transferring appropriations	4/20/09	4/20/09
Resolution No. 11, Series 2009	A Resolution establishing a public records request policy and establishing fees for recovering city expenses incurred in responding to requests from the public for documents and public records and amending previous resolutions enacting these fees.	4/20/09	4/20/09
Resolution No. 12, Series 2009	A Resolution requesting Lane County to increase expenditures for public safety	4/18/09	4/18/09
Resolution No. 13, Series 2009	A Resolution amending the wastewater rates – Repealed by Resolution No. 10, Series 2011	6/15/09	6/15/09 – Repealed by Resolution No. 10, Series 2011
Resolution No. 14, Series 2009	A Resolution amending the water rates – Repealed by Resolution No. 18, Series 2010	6/15/09	6/15/09 – Repealed by Resolution No. 18, Series 2010
Resolution No. 15, Series 2009	A Resolution establishing and imposing a street light utility fee – REPEALED BY RESOLUTION No. 13, SERIES 2012	6/15/09	6/15/09 – Repealed by Res. 13, 2012
Resolution No. 16, Series 2009	A Resolution declaring the City's election to receive state-shared revenues	6/15/09	6/15/09
Resolution No. 17, Series 2009	A Resolution certifying the City's eligibility to receive state shared revenues	6/15/09	6/15/09

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 18, Series 2009	A Resolution updating system development charges based on annual indexing per the engineering news record (ENR) – Repealed by Resolution No. 23, Series 2010	6/15/09	6/15/09 – Repealed by Resolution No. 23, Series 2010
Resolution No. 19, Series 2009	A resolution adopting a 2008-2009 supplemental budget and making appropriations	6/29/09	6/29/09
Resolution No. 20, Series 2009	A Resolution adopting 2009-2010 Budget making appropriations, imposing and categorizing ad valorem taxes	6/29/09	6/29/09
Resolution No. 21, Series 2009	A resolution transferring appropriations	6/29/09	6/29/09
Resolution No. 22, Series 2009	A Resolution establishing jail inmate (booking) fees	6/29/09	6/29/09
Resolution No. 23, Series 2009	A Resolution extending the City of Florence's workers compensation insurance to volunteers of the City of Florence for the policy year 2009-10	6/29/09	6/29/09
Resolution No. 24, Series 2009	A Resolution authorizing the City of Florence to accept a coastal management grant from the Oregon Department of Land Conservation and Development (DLCD), for planning related expenses within Oregon's federally-approved coastal zone.	6/29/09	6/29/09
Resolution No. 25, Series 2009	A Resolution repealing Resolution No. 24, Series 2004 and adopting rules for use of the City of Florence Miller Park Skate Park	7/6/09	7/6/09
Resolution No. 26, Series 2009	A Resolution establishing sidewalk cafe permit fees	7/20/09	7/20/09
Resolution No. 27, Series 2009	A Resolution amending the Planning Commission's approval of a preliminary planned unit development permit for a 29-acre residential development integrated into an existing golf course located at 3345 Munsel Lake Road, Map Reference # 18-12-23 Tax Lots 400, 900 and 901, Map # 18-12-23-14 Tax Lot 100 and #18-12-24-32 Tax Lot 1500	9/14/09	9/14/09

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Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 28, Series 2009	A Resolution of the City of Florence, Oregon, authorizing limited tax improvement bonds for the Spruce Street local improvement district, and providing for related matters	10/19/09	10/19/09
Resolution No. 29, Series 2009	A Resolution establishing street closure fees	9/28/09	9/28/09
Resolution No. 30, Series 2009	A Resolution of the City of Florence adopting a personnel handbook - Repealing the Personnel Handbook adopted October 2003 and amended August 2006 - Repealing Resolution No. 29, Series 2008 "Travel Policy" and Resolution No. 33, Series 2008 "Code of Ethics Policy" - REPEALED BY RESOLUTION No. 18, SERIES 2013	9/28/09	9/28/09 - Repealed by Res. 18, 2013
Resolution No. 31, Series 2009	A Resolution amending the wastewater rates	10/26/09	10/26/09
Resolution No. 32, Series 2009	A Resolution establishing a Master Business License Fee – RESOLUTION REPEALED BY RESOLUTION NO. 10, SERIES 2014	11/2/09	11/2/09 - REPEALED
Resolution No. 33, Series 2009	A Resolution governing rates for solid waste services and repealing Resolution No. 4, Series 2008 – Repealed by Resolution No. 34, Series 2010	12/7/09	12/7/09
Resolution No. 34, Series 2009	A Resolution transferring appropriations	12/7/09	12/7/09

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2008 Resolutions

Resolution Number	Short Title	Date Passed by Council	Effective Date
Resolution No. 1, Series 2008	Lane County Deadly Force Plan	2/4/08	2/4/08
Resolution No. 2, Series 2008	A Resolution approving application for Community Development Block Grant (CDBG) funds for a Senior Center	2/19/08	2/19/08
Resolution No. 3, Series 2008	A Resolution addressing exceptions noted in the Financial Statements for FYE June 30, 2007	2/19/08	2/19/08
Resolution No. 4, Series 2008	A Resolution governing rates for solid waste services and repealing Resolution No. 22, Series 2007 – Repealed by Resolution No. 33, Series 2009	3/24/08	3/24/08 – Repealed by Resolution No. 33, Series 2009
Resolution No. 5, Series 2008	A Resolution amending Resolution 27, Series 1999 City of Florence Fee Schedule, and adding new fees for liquor licenses approval – RESOLUTION REPEALED BY RESOLUTION NO. 10, SERIES 2014	3/24/08	4/1/08 - REPEALED
Resolution No. 6, Series 2008	A Resolution for authorizing the City of Florence to apply for a local government grant from the Oregon Parks and Recreation Department for improvements at Miller Park.	4/2/08	4/2/08
Resolution No. 7, Series 2008	A Resolution declaring contract for the installation of sewer line in the vicinity of Driftwood Shores, from 1st Street to Heceta Beach Road; Heceta Beach Road to Rhododendron Drive; and from Rhododendron Drive to Eden Lane, exempt from State and City competitive screening and selection requirements and authorizing execution of contract to Alaska Communications Systems, Inc.	4/21/08	4/21/08
Resolution No. 8, Series 2008	Annexation Policy of the City of Florence	4/21/08 REPEALED	4/21/08 Repealed by Res. 27, 2010