
AGENDA ITEM SUMMARY / STAFF REPORT
FLORENCE PLANNING COMMISSION

ITEM NO: 4
Meeting Date: Dec. 8, 2020

ITEM TITLE: Resolutions PC 20 22 ANN 01 & PC 20 23 ZC 02
Benedick Holdings LLC Annexation and Zone Assignment

OVERVIEW:

Application: The petitioner requests annexation of Oceana Drive east of Rhododendron 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. They have also applied for City of Florence zone assignment to Low Density Residential for all lands and a Coastal Shoreland Management Unit Overlay of Prime Wildlife for areas so designated in the comprehensive plan that are also included in the petition for annexation.

Process and Review: Annexation petitions and associated zone assignments are land use processes that include two public hearings, one with the Planning Commission (PC) who makes a recommendation to the City Council and another public hearing with City Council who makes the final decision. There are requirements for providing noticing to property owners, utility providers, a newspaper and to the Department of Land and Conservation and Development for the annexation and zoning assignment processes.

The Planning Commission opened and closed the first evidentiary public hearing on November 10, 2020. At the request of a testifier and the applicant's representative they kept the written record open for 14 days (closing Nov. 24th), and continued the meeting to December 8th when the PC would deliberate and make a recommendation to City Council.

The findings of fact and application materials are attached to this AIS. The applicable criteria are listed in the "Applicable Criteria" section of the findings. Only the code sections, comprehensive plan policies and appendices, state statutes and administrative rules believed to apply may be considered in the decision-making process. Petition/application materials, public testimony, agency referrals and research that speak to the criteria may also be considered. The findings attached are modified from the version produced for November 10, 2020 and include a review of the petition/application against the applicable criteria and incorporate public testimony and agency referral comments or concerns where applicable.

Testimony/Agency Referrals: Testimony comments are included in Exhibit K roughly in the order received and Referrals are included in Exhibit L. Testimony received was mostly in opposition including concerns better directed to an application for development. Information, comments, and concerns, where covered by applicable criteria are addressed in the Findings of Fact. The testimony primarily consists of concerns about wildlife disruption and habitat loss, traffic increases, stormwater inundation, and applicant deception. These important issues will be addressed when an application

for development is proposed such as one for land division. This review considers moving municipal boundary lines and whether services are available and utility providers have the capacity.

ISSUES/DECISION POINTS: None

ALTERNATIVES:

1. Recommend approval of the annexation and zoning assignment by approving Resolutions PC 20 22 ANN 01 and PC 20 23 ZC 02 as presented or with modifications, or.
2. Recommend denial of the annexation based on the Commissions' findings to support denial of the annexation, or
3. Recommend approval of the annexation but recommend a different zoning district for the rezoning, or
4. Continue deliberations and defer recommendation.

RECOMMENDATION: The evidence in the record demonstrates that the proposed annexation and zone assignment is consistent with the policies set forth in state statutes and administrative rules, Florence City Code, and the Florence Realization 2020 Comprehensive Plan, based on the findings. Staff recommends that Planning Commission recommend approval of the annexation and zoning assignment to the Florence City Council, Alternative 1 above.

AIS PREPARED BY: Wendy FarleyCampbell, Planning Director, AICP

ATTACHMENTS:

Resolution PC 20 22 ANN 01—Annexation Request

Exhibit A Map of Annexation Area & Legal Description

Exhibit B Findings of Fact

Resolution PC 20 23 ZC 02—Zone Assignment Application

Exhibit A Map of Rezoning Area

Exhibit B Findings of Fact

Other Attachments

Exhibit C: 2007-2020 Annexations & DWS (note: these are Exhibits B & C in applicant's statement of support)

Exhibit D: Vicinity Map

Exhibit E: Comp Plan Map

Exhibit F: Zoning Map

Exhibit G: Aerial Map

Exhibit H: Shoreland Map

Exhibit I: Application and Petition

Exhibit J: Statement of Support

Exhibit K: Testimony

Exhibit L: Referral Comments
