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**AGENDA ITEM SUMMARY / STAFF REPORT**  
**FLORENCE CITY COUNCIL**

**ITEM NO: 4**  
Meeting Date: *August 22, 2023*

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**ITEM TITLE:** *Resolution PC 23 09 DR 03*  
Three Mile Prairie Partial Design Review to Interpret the Use of a 12" x 6'  
*Continuous Concrete Footing* to Meet the Shared and Common Foundation  
Element in the Definition of an Attached Single-Family Dwelling

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**OVERVIEW:**

Application: An application was received June 13, 2023 from Kyle Honeycutt requesting a design review for 2 single family dwelling units in the Three Mile Prairie Subdivision. The application was deemed complete for processing July 5, 2023. The application shows a modification from the initial housing design that attached two manufactured housing units by a shared garage wall and garage foundation. The new design instead proposes to "connect" two site-built dwellings with a single standalone footing between the individual foundations at points behind the pedestrian doors on the sides of the garages.

The Planning Commission is specifically tasked with considering whether the proposed single footing meets or does not meet the Florence City Code criteria for a shared common foundation, the applicant's chosen option to meet the definition of an attached single-family dwelling.

Staff Review: Staff reviewed the design review request for the proposed *single-family attached dwelling units*. The two subject lots are in the medium density residential zoning district which allows attached single family dwelling units through a Type II Administrative Review Process. The proposed design shows a single concrete footing between the units. It was determined that this approach does not clearly meet the definition for a single family attached dwelling and was beyond the discretion to approve as allowed by a Type II review. Therefore, this design review is referred to Planning Commission for a Type III Quasi-Judicial Review in accordance with FCC 10-1-1-4.

Process: This partial design review and code interpretation is being processed as a Type III Quasi-Judicial review as permitted by FCC 10-1-1-6-3. Property owner notices of the hearing were mailed and the property posted on July 5, 2023. A notice of public hearing was published in the Siuslaw News July 14, 2023. All public noticing requirements have been satisfied.

The findings include a review of the request against the applicable criteria.

This report and findings only address the proposed method of attachment. Any design put forth will require additional review for criteria in 10-10-5 and 10-10-7. These other criteria are being processed by staff as a Type II Administrative Review.

Additional evidence was received August 7, 2023 from Carrollton Design Inc., who designed the dwelling units that are the subject of this review. The letter argues that the proposed 12" x 6" *continuous concrete footing* meets the definition of a footing in accordance with the 2021 Oregon Residential Specialty Code (ORSC) because it has been designed to accept loads of the 12" of sand above and rain loads. The evidence supplied in this letter is discussed in detail in the proposed Findings of Fact. The evidence provided has not changed the recommendation by planning staff. The findings of fact have been updated for clarity and to incorporate the applicant's testimony. These changes are illustrated through underline and ~~strike-out~~.

Testimony: No additional public comments were received as of the publishing of the Findings of Facts.

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**ISSUES/DECISION POINTS:** Does the 12"x6" continuous footing meet the definition of foundation or a footing?

Does the 12"x6" continuous footing meet the intent of the code for the units being attached?

Does the 12" x 6" *continuous concrete footing* meet the definition of the two dwellings sharing a common foundation?

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**ALTERNATIVES:**

1. Deny the proposal that a 12" x 6" continuous concrete footing is a common foundation meeting the definition of an attached single-family dwelling , or
  2. Review and recommend changes to the proposed findings and approve or deny as amended, or
  3. Approve the request as proposed by the applicant and allow the 12" x 6" *continuous concrete footing* to be considered an attached foundation and approve these units as attached single family dwelling units, or
  4. Continue the Public Hearing or close the hearing and keep the written record open for seven days and continue deliberations to a date certain if more information is required, or
  5. Close the hearing and the record and continue deliberations to a date certain in order to consider the evidence in the record.
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**RECOMMENDATION:**

Planning Staff— Option 1; Deny the proposal to use the 12" x 6" *continuous concrete footing* as the common foundation to define the dwellings as single family attached.

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**AIS PREPARED BY:**

Clare Kurth, Assistant Planner

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**ITEM'S ATTACHED:**

"A" Findings of Facts  
"B" Application  
"C" Housing Design Packet  
"D" Carrollton Design Inc., Letter

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**CITY OF FLORENCE  
PLANNING COMMISSION**

**RESOLUTION PC 23 09 DR 03**

A REQUEST FOR A PARTIAL DESIGN REVIEW TO INTERPRET WHETHER THE USE OF A 12" X 6" *CONTINUOUS CONCRETE FOOTING* MEETS THE SHARED AND COMMON FOUNDATION ELEMENT IN THE DEFINITION OF AN ATTACHED SINGLE-FAMILY DWELLING.

**WHEREAS**, application was made by Kyle Honeycutt of Three Mile Prairie Subdivision, for a partial Design Review approval as required by FCC 10-1-1-4 and FCC 10-2-13; and,

**WHEREAS**, the Planning Commission/Design Review Board met in a duly-advertised public hearing on July 25, 2023, as outlined in Florence City Code 10-1-1-6-3, to consider the application, evidence in the record, and testimony received; and,

**WHEREAS**, the public hearing was continued to a date certain of August 22, 2023 following a request of the applicant and unanimous vote by the Planning Commission, and,

**WHEREAS**, the Planning Commission/Design Review Board of the City of Florence per FCC 10-6-5 and 10-2-13, finds that the proposed *footing* does not meet the definition of a foundation and sufficient evidence was not submitted to establish this as a *footing* based on the 2021 ORSC definitions, and,

**WHEREAS**, the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact, staff recommendation, and evidence, and testimony presented to them, that the proposed single family dwelling units meet the definition of a detached single-family dwelling per 10-2-13. The application does not meet the applicable criteria for these dwellings to be classified as "Attached".

**NOW THEREFORE BE IT RESOLVED** that the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact and the evidence in record that:

The request for a partial design review found that the proposed 12" x 6" *continuous concrete footing* does not meet code criteria for the shared and common foundation element in the definition of an attached single-family dwelling. The Planning Commission/Design Review Board denies the partial design review request and determines the design as proposed is consistent with a detached single-family dwelling and that there is no shared, common foundation presented.

Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision.

**ADOPTED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD** the 22<sup>nd</sup> day of August, 2023.

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Sandra Young, Chairperson      Date  
Florence Planning Commission

**FINDINGS OF FACT (Proposed)**  
**FLORENCE PLANNING COMMISSION**  
**Exhibit “A”**

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**Public Hearing Dates:** July 25, 2023 & August 22, 2023 **Assistant Planner:** Clare Kurth  
**Date of Report:** August 15, 2023  
**Application:** PC 23 09 DR 03 – 3 Mile Prairie House Design Modification

**Related Applications:** SR 23 26 SUB 01 – Three Mile Prairie Final Plat 1b  
PC 20 31 SUB 03 – Three Mile Prairie Tent. Plan  
PC 18 49 SUB 03 – Sand Ranch Subdivision

**I. PROPOSAL DESCRIPTION**

**Proposal:** An application submitted by Kyle Honeycutt, for Design Review of a single family attached dwelling. Referral to the Planning Commission for decision on whether the foundation footing as proposed meets the definition of “Dwelling Attached” for attaching two single family dwellings (townhomes). Development is located in the second phase of Phase 1 of Three Mile Prairie; namely 5283 and 5271 Nopal Street, west of Highway 101, in the Medium Density Residential District, regulated by Florence City Code Title 10, Chapter 10

**Applicant:** Kyle Honeycutt

**Property Owners:** Three Mile Prairie, LLC

**Location:** MR 18-12-15-11 TLs 02900 & 02800, SE corner of intersection of Nopal and 53<sup>rd</sup> Sts.

**Comprehensive Plan Map Designation:** Medium Density (MD)

**Zone Map Classification:** Medium Density Residential (MDR)

**Surrounding Land Use / Zoning:**

Site: Vacant / Medium Density  
North: Single-family attached residence and duet / MD  
South: Vacant / MD  
East: Vacant / Service Industrial  
West: Lane County Park--Three Mile Prairie/ Open Space

**Streets / Classification:**

East – Oak St. / Collector; North – 53<sup>rd</sup> St. / Local; West – Nopal St. / Local; South – None / Local

## II. NARRATIVE

The applicant has applied for design review for a single family attached dwelling in the Three Mile Prairie subdivision. Single Family attached dwellings require a Type 2 design review. The dwellings approved thus far in this subdivision are attached via the garages along a common wall. The garages load from the street and the manufactured homes are placed behind the garages. One of the challenges with this design is that both manufactured homes need to be placed on their adjoining lots prior to garage construction. The applicant a year ago voiced concern with this situation and voiced a plan to change the design on the next phase. The definition of attached dwellings was shared and noted that foundation connections was an option as well as walls and roofs.

The applicant in May provided a revised plan for a stick-built home. The construction drawings (attached) included (with prompting) a proposed shared/attached component. The added connection was a footing (12" x 6" continuous concrete footing "connect" to adjacent home) extending from one foundation presumably to the other on the adjoining lot. The plans illustrated the footing connection abutting the foundation. They do not illustrate a footing or foundation shared by the two dwellings. Because of this design limitation and the observations from further research on definitions this proposal is being sent to the Planning Commission for review and decision.

On July 25, 2023 the Planning Commission met in a duly noticed public hearing to review the materials and evidence for this application. The applicant stated in the hearing that the 7 days they had to review the proposed Findings of Fact did not provide sufficient time to properly review the documents and consult with a structural engineer. The applicant requested a continuance to supply additional evidence and the Planning Commission voted unanimously to continue the public hearing to a date certain of August 22, 2023. On August 7, 2023 a letter dated Friday August 4, 2023 was received by Carrollton Design Inc., to provide additional evidence. Carrollton Design Inc., is the design company that provided the single-family dwelling unit design that is the subject of these proceedings.

The letter submitted, and entered into the record as Exhibit D, argued that the *footing* meets the definition because of the design to accept dead loads and live loads as defined by the 2021 Oregon Residential Structural Codes (ORSC). The dead loads being supported by the footing are argued to be the 12 inches of sand, landscaping (no landscaping plan provided), and architectural features (the plans submitted do not indicate architectural features supported by the *footing*). The live loads supported by the *footing* are argued to be environmental loads in the form of rain loads. Carrollton Design Inc., argues that "the real definition of environmental loads is key here, specifically rain load. If 12" of sand has weight, and it clearly does at 101.82# per cubic foot, then sand saturated with rain load, just under 130# per cubic foot, is even greater." The argument as proposed is that the footing is supporting dead loads of sand and live loads / environmental loads of rain.

### III. NOTICES & REFERRALS

**Notice:** On July 5, 2023 notice was mailed to surrounding property owners within 100 feet of the property. The property was posted the same day. Notice was then published in the Siuslaw News on July 14, 2023.

At the time of this report the City has not received any public testimony.

**Referrals:** No referrals were sent regarding this application as this is an application for design review of the home design of the proposed single-family dwellings. Referrals were sent for the subdivision portion of this project, which is a separate application. No additional referral requests were not indicated.

### IV. APPLICABLE REVIEW CRITERIA

**Florence City Code:**

**Title 10: Zoning Regulations**

Chapter 1: Zoning Administration, Sections 1-4, 1-5, & 1-6-2

Chapter 2: General Zoning Provisions, Section 13

Chapter 10: Residential Districts, Sections 2-A, 4, 5, & 7

**OAR 660-008-0005**

**Oregon Building Code: 2021 Oregon Residential Specialty Codes**

### V. FINDINGS

Code criterion are listed in **bold**, with response beneath. Only applicable criteria have been listed.

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#### **FLORENCE CITY CODE**

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#### **TITLE 10: CHAPTER 1: ZONING ADMINISTRATION**

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##### **10-1-1-4: APPLICATION:**

- A. Applications and Petitions required by Title 10 and 11 of this Code shall be on forms prescribed by the City and include the information requested on the application form.**
- B. Applicability of Review Procedures: All land use and development permit applications, petitions, and approvals shall be decided by using the procedures contained in this chapter. The procedure type assigned to each application governs the decision making process for that permit or approval. There are four types of approval procedures as described in subsections 1-4 below. Table 10-1-1 lists some of the City's land use and development approvals and corresponding review procedures. Others are listed within their corresponding procedure sections.**

1. **Type I (Ministerial) Procedure (Staff Review – Zoning Checklist).** Type I decisions are made by the City Planning Director, or his or her designee, without public notice and without a public hearing. A Type I procedure is used in applying City standards and criteria that do not require the use of discretion (i.e., clear and objective standards);
2. **Type II (Administrative) Review Procedure (Administrative/Staff Review with Notice).** Administrative decisions are made by the City Planning Director, with public notice and an opportunity for appeal to the Planning Commission. Alternatively the City Planning Director may refer an Administrative application to the Planning Commission for its review and decision in a public meeting;
3. **Type III (Quasi-Judicial) Procedure (Public Hearing).** Quasi-Judicial decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council; or in the case of a Quasi-Judicial zone change (e.g., a change in zoning on one property to comply with the Comprehensive Plan), a Quasi-Judicial decision is made by the City Council on recommendation of the Planning Commission. Quasi-Judicial decisions involve discretion but implement established policy.
4. **Type IV (Legislative) Procedure (Legislative Review).** Type IV procedures apply to legislative matters. The Legislative procedure applies to the creation or revision, or largescale implementation, of public policy (e.g., adoption of regulations, zone changes, annexation, and comprehensive plan amendments). Legislative reviews are considered by the Planning Commission, who makes a recommendation to City Council. City Council makes the final decision on a legislative proposal through the enactment of an ordinance.

This section was included for review of the different types of land use review processes. In accordance with FCC 10-10 single family attached dwellings may be processed as a Type II, Administrative Review. This section also allows the Planning Director to refer Type II review to Planning Commission for a public hearing review at their discretion.

Later, these Findings of Fact will detail the reasoning for this design review not being appropriate as a Type II Review based on the absence of clear compliance with code and use of discretion beyond that allowed with a Type II review. Alternatively, this referral to Planning Commission, by the Planning Director, would be allowable based on this code section.

**C. Except when this Code provides to the contrary, an application or petition regulated by Titles 10 and 11 of this Code:**

1. **Shall be reviewed by the Planning Director within thirty (30) days to determine if the application is complete, including required drawings, plans, forms, and statements.**
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.**

3. Shall identify off-site conditions including property lines, utility locations and sizes, existing and future streets, land uses, significant grade changes and natural features such as streams, wetlands and sand dunes for an area not less than three hundred (300) feet from the proposed application site that is one (1) acre or larger and within 100 feet from the proposed application site that is less than one (1) acre in size. (Amd. By Ord. No. 4, Series 2011)
4. Shall be accompanied by a digital copy or two hard copies of required plans of dimensions measuring 11 inches by 17 inches or less. Costs of document reduction may be passed onto the applicant.
5. Shall be filed with a narrative statement that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Additional information may be required under the specific application requirements for each approval.
6. Shall be accompanied by any other information deemed necessary by the City Planning Department.
7. Shall be accompanied by the required, non-refundable fee.

All application requirements were met in accordance with this section. This criterion is met.

- D. **Evidence Submittal:** Except when this Code expressly provides different time limitations, all documents and evidence relied upon by the applicant shall be submitted at least thirty (30) days prior to the hearing as provided in Subsection 10-1-1-6. (Amd. by Ord. No. 30 Series 1990)

[...]

**F. Initiation of applications:**

1. Applications for approval under this Chapter may be initiated by:
  - a. Order of City Council
  - b. Resolution of the Planning Commission
  - c. The City Planning Official or designee
  - d. A record owner of property (person(s) whose name is on the most recently recorded deed), or contract purchaser with written permission from the record owner.
2. Any person authorized to submit an application for approval may be represented by an agent authorized in writing to make the application on their behalf.

This application is being reviewed by the Planning Commission as a Type III Quasi-Judicial review process. Therefore, the initiation of this application will be by a resolution of the Planning Commission.

- G. Changes in the law: Due to possible changes in federal, state, regional, and local law, the applicant is responsible for ensuring that the application complies with all applicable laws on the day the application is deemed complete.**

#### **10-1-1-5: GENERAL PROVISIONS**

- A. 120-Day Rule: The City shall take final action on Type I, II, and III permit applications that are subject to this Chapter, including resolution of all appeals, within 120 days from the date the application is deemed as complete, unless the applicant requests an extension in writing. Any exceptions to this rule shall conform to the provisions of ORS 227.178. (The 120-day rule does not apply to Type IV legislative decisions – plan and code amendments – without an applicant under ORS 227.178.)**

- 1. The City shall take final action on housing applications meeting the criteria of ORS 197.311 within 100 days.**

[...]

- C. Check for acceptance and completeness. In reviewing an application for completeness, the following procedure shall be used:**

- 1. Acceptance. When an application is received by the City, the City Planning Official or designee shall immediately determine whether the following essential items are present. If the following items are not present, the application shall not be accepted and shall be immediately returned to the applicant.**

- a. The required forms.**

- b. The required, non-refundable fee.**

- c. The signature of the applicant on the required form and signed written authorization of the property owner of record if the applicant is not the owner.**

- 2. Completeness.**

- a. Review and notification. After the application is accepted, the City Planning Official or designee shall review the application for completeness. If the application is incomplete, the City Planning Official or designee shall notify the applicant in writing of exactly what information is missing within 30 days of receipt of the application and allow the applicant 180 days from the date that the application was submitted to submit the missing information. Applications which have been deemed incomplete and for which the applicant has not**

submitted required information or formally refused to submit additional information shall be deemed void on the 181st day after original submittal.

- b. **Application deemed complete for review.** In accordance with the application submittal requirements of this Chapter, the application shall be deemed complete upon the receipt by the City Planning Official or designee of all required information. The applicant shall have the option of withdrawing the application, or refusing to submit information requested by the City Planning Official or designee in section 10- 1-1-5-C-2-a, above.
- c. **Standards and criteria that apply to the application.** Approval or denial of the application shall be based upon the standards and criteria that were applicable at the time it was first accepted.
- d. **Coordinated review.** The City shall also submit the application for review and comment to the City Engineer, road authority, and other applicable County, State, and federal review agencies.

The application was deemed complete for processing June 5, 2023. This review process is being completed within the 120-day time line in accordance with this code section. These criteria are met.

**D. City Planning Official's Duties.** The City Planning Official (Director) or designee shall:

- 1. **Prepare application forms based on the criteria and standards in applicable state law, the City's comprehensive plan, and implementing ordinance provisions.**
- 2. **Accept all development applications that comply with the requirements of this Chapter.**
- 3. **Prepare a staff report that summarizes the application(s) and applicable decision criteria, and provides findings of conformance and/or non-conformance with the criteria. The staff report and findings may also provide a recommended decision of: approval, denial; or approval with specific conditions that ensure conformance with the approval criteria.**
- 4. **Prepare a notice of the proposal decision:**
  - a. **In the case of an application subject to a Type I or II review process, the City Planning Official or designee shall make the staff report and all case-file materials available at the time that the notice of decision is issued.**
  - b. **In the case of an application subject to a hearing (Type III or IV process), the City Planning Official or designee shall make the staff report available to the public at least seven (7) days prior to the**

scheduled hearing date, and make the case-file materials available when notice of the hearing is mailed, as provided by Sections 10- 1-1-6-1 (Type I), 10-1-1-6-2 (Type II), 10-1-1-6-3 (Type III), or 10-1-1-6-4 (Type IV).

5. **Administer the hearings process.**
6. **File notice of the final decision in the City's records and mail a copy of the notice of the final decision to the applicant; all persons who provided comments or testimony; persons who requested copies of the notice; and any other persons entitled to notice by law.**
7. **Maintain and preserve the file for each application for the time period required by law. The file shall include, as applicable, a list of persons required to be given notice and a copy of the notice given; the affidavits of notice; the application and all supporting information; the staff report; the final decision including the findings, conclusions and condition, if any; all correspondence; minutes of any meeting at which the application was considered; and any other exhibit, information, or documentation that was considered by the decision-maker(s) on the application.**
8. **Administer the appeals and review process.**

This review process is being completed in compliance with this code section. These criteria are met.

**E. Amended Decision Process.**

1. **The purpose of an amended decision process is to allow the City Planning Official or designee to correct typographical errors, rectify inadvertent omissions and/or make other minor changes that do not materially alter the decision.**
2. **The City Planning Official or designee may issue an amended decision after the notice of final decision has been issued but before the appeal period has expired. If such a decision is amended, the decision shall be issued within 14 business days after the original decision would have become final, but in no event beyond the 120-day period required by state law. A new appeal period shall begin on the day the amended decision is issued.**
3. **Notice of an amended decision shall be given using the same mailing and distribution list as for the original decision notice.**
4. **Modifications to approved plans or conditions of approval requested by the application shall follow the procedures outlined in section 10-1-1-6. All other changes to decisions that are not modifications under 10-1-1-6 follow the appeal process.**

- F. Re-submittal of Application Following Denial.** An application that has been denied, or an application that was denied and on appeal or review has not been reversed by a higher authority, including the Land Use Board of Appeals, the Land Conservation and Development Commission, or the courts, may not be resubmitted as the same or a substantially similar proposal for the same land for a period of at least 6 months from the date the final City action is made denying the application, unless there is substantial change in the facts or a change in City policy that would change the outcome, as determined by the City Planning Official or designee.

**10-1-1-6-2: TYPE II REVIEW – ADMINISTRATIVE REVIEW:**

- A. The Planning Director, or designated planning staff may make administrative decisions (limited land use). The Type II procedure is used when there are clear and objective approval criteria and applying City standards requires limited use of discretion.**

FCC 10-10-2A, Table 10-10-2-A provides that single family attached dwelling units may be permitted in medium density residential zoning districts through a Type II Administrative Review process. FCC 10-1-1-6-2 allows a Type II review process to be used when a decision requires limited use of discretion. The definition of attached single family housing will be discussed in more detail later in these Findings. The proposed attachment method requires more discretion than is permitted through a Type II review process. Therefore, this shall be processed as a Type III Quasi-Judicial review process.

**10-1-1-6-3 LAND USE HEARINGS:**

- A. Hearings are required for Type III (quasi-judicial) land use matters requiring Planning Commission review. Type III applications include, but are not limited to:**
- 1. Limited land use decisions for non-residential uses made by staff, for which a request for referral to Planning Commission by the Planning Commission Chairperson or Planning Director has been made.**
- [...]**
- 10. Other applications similar to those above which require notice to surrounding property owners and a public hearing.**

A previous approval for attached manufactured homes for Phase 1A of the Three Mile Prairie subdivision approved attached manufactured dwelling units by garage foundation and wall. This design review is requesting a modification from the approved manufactured home to site-built homes and a proposal to change the means of attaching the units. The change from a garage wall attachment to a footing connection as proposed by the applicant requires discretion beyond what is appropriate for staff as a Type II review process, has far reaching implications and is therefore being referred to Planning Commission as a Type III Quasi-Judicial Review Process.

**B. Notification of Hearing:**

- 1. At least twenty (20) days prior to a 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 the case of hearings for Conditional Use Permits, Variance, Planned Unit Development and Zone Change, which notice shall be sent to all owners of record of property within 300 feet of the subject property.

2. Prior to a quasi-judicial hearing, notice shall be published one (1) time in a newspaper of general circulation.

Notification of the quasi-judicial land use hearing for this application was mailed on July 5, 2023, 20 days prior to the hearing, to all property owners within 100 feet of the subject property. A notice was also published in the Siuslaw News one time on July 14, 2023. These notices contained all required information. This public hearing was continued from July 25, 2023 to a date certain of August 22, 2023. No additional noticing was required. These criteria are met.

**C. Notice Mailed to Surrounding Property Owners – Information provided:**

1. The notice shall:

- a. Explain the nature of the application and the proposed use or uses which could be authorized;
- b. List the applicable criterion from the ordinance and the plan that apply to the application at issue;
- c. Set forth the street address or other easily understood geographical reference to the subject property;
- d. State the date, time and location of the hearing;
- e. State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes further appeal based on that issue;
- f. State that application and applicable criterion are available for inspection at no cost and will be provided at reasonable cost;
- g. State that a copy of the staff report will be available for inspection at no cost at least 7 days prior to the hearing and will be provided at reasonable cost;
- h. Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.
- i. Include the name of a local government representative to contact and the telephone number where additional information may be obtained.

This code criteria are being met through this review process. These criteria are met.

**D. Hearing Procedure: All quasi-judicial hearings shall conform to the procedures of Florence City Code Title 2 Chapter 10.**

The Planning Commission held a public hearing on July 25, 2023 in a duly-noticed public hearing and acted upon the application in accordance with FCC 2-10. In the event the Planning Commission were to decide to postpone their decision to a future date, all hearing procedures will be observed according to FCC Title 2, Chapter 10. These criteria are met.

**E. Action by the Planning Commission:**

- 1. At the public hearing, the Planning Commission shall receive all evidence deemed relevant to the issue. It shall then set forth in the record what it found to be the facts supported by reliable, probative and substantive evidence.**
- 2. Conclusions drawn from the facts shall state whether the ordinance requirements were met, whether the Comprehensive Plan was complied with and whether the requirements of the State law were met.**
- 3. In the case of a rezoning request, it shall additionally be shown that a public need exists; and that the need will be best served by changing the zoning of the parcel of land in question.**
- 4. There is no duty upon the Planning Commission to elicit or require evidence. The burden to provide evidence to support the application is upon the applicant. If the Planning Commission determines there is not sufficient evidence supporting the major requirements, then the burden has not been met and approval shall be denied.**

The Planning Commission received all evidence deemed relevant at the public hearing. The Planning Commission had the option to deny approval if they determined that insufficient evidence had been provided to indicate that the application had not met the applicable criterion. Additional evidence was received August 7, 2023 by Carrollton Design Inc. in a letter dated August 4, 2023. This letter supplied additional information arguing how the proposed 12"x6" continuous concrete footing met the definition of a footing based on design loads it was supporting. This will be discussed in more detail under FCC 10-2-13. The burden to supply such evidence is upon the applicant.

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**TITLE 10: CHAPTER 2: GENERAL ZONING PROVISIONS**

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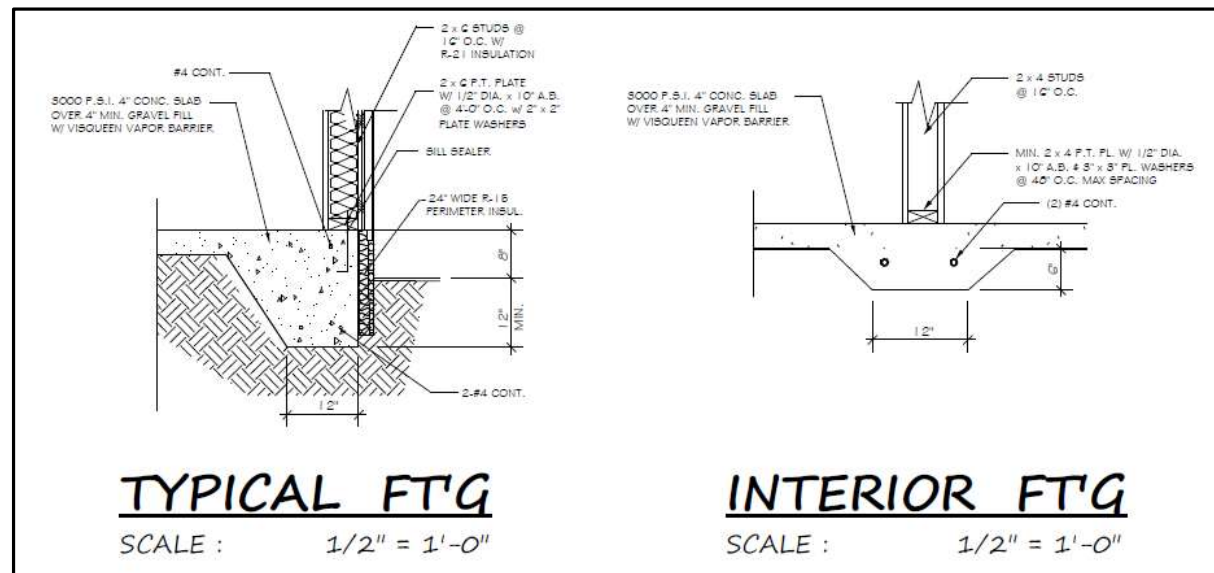
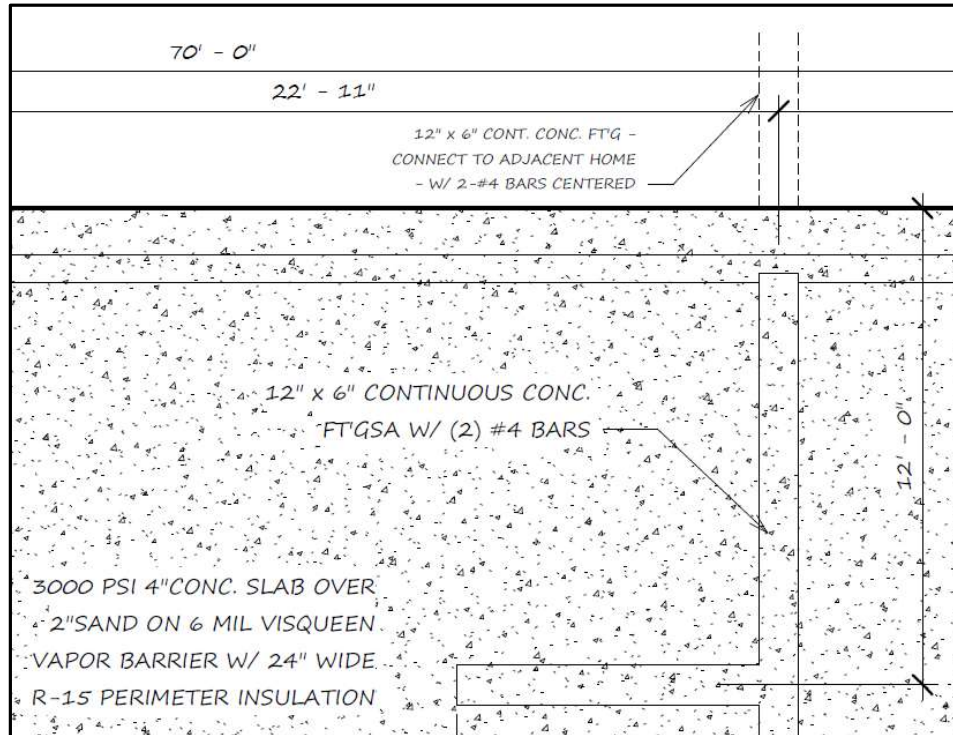
**10-2-13: DEFINITIONS:** For the purpose of this Title, certain words, terms and phrases are defined below. Words used in the present tense include the future; the singular number includes the plural; and the word "shall" is mandatory and not directory. Whenever the term "this Title" is used herewith it shall be deemed to include all amendments thereto as may hereafter from time to time be adopted. Definition contained in the Florence Comprehensive Plan shall also be used to define terms used in this Title of the Florence City Code, and, where conflicts exist, the terms used in this Code shall apply to the respective Code requirements. Terms not defined in this Code shall have their ordinary accepted meanings within the context in which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered a standard reference.

Applicable definitions are listed below when available in this code section. When the City does not have certain definitions available the City will accept definitions from Webster's Third New International Dictionary in accordance with FCC 10-2-13. For the purposes of this design review definitions from Webster's Third New International Dictionary will be included for *Footing* and *Foundation* as they are not included in the FCC 10-2-13 Definitions.

<b>Duet</b>	<b>A Duplex as defined under 'DWELLING, DUPLEX' in which each unit is on a separate lot and can be owned separately.</b>
Comments:	These housing units do not meet criteria for duets as they do not meet minimum lot square footage.
<b>Dwelling</b>	<b>A building or portion thereof which is occupied in whole or in part as a residence, either permanently or temporarily by one or more families; but excluding Coast Village, hotels, motels, and tourist courts; with permanent provision for living, sleeping, eating, food preparation, and sanitation. Dwellings include both buildings constructed on-site and manufactured homes.</b>
Comments:	These housing units meet the criteria to be defined as dwelling units. The Planning Commission is being tasked with determining if these units meet the criteria for attached dwellings or if these units are detached dwellings.
<b>Dwelling Attached</b>	<b>A dwelling that shares a common wall or walls, roof, or foundation with adjacent dwellings. Attached dwellings may be on a common lot or with each dwelling on its own lot.</b>
Comment:	<p>The home design illustrates the houses being connected by a 12" x 6" <i>continuous concrete footing</i>. The foundation plan illustrates the connecting footing abutting the slab. The structural footing from the dwelling does not connect to the proposed connecting footing. The Planning Commission is being tasked with determining if the proposed "attachment" meets the intent of the code for being attached by the foundation.</p> <p>This home design does not include attachments of a roof, common wall, or foundation beyond the footing.</p> <p>The 2021 Oregon Residential Specialty Code adopted by the Oregon Building Code division does not have a definition for <i>attached dwelling</i>, but OAR 660-008-005 does define attached single family housing and will be included later in these Findings.</p> <p>The Planning Commission is being tasked with <del>two</del><u>three</u> main questions.</p> <ol style="list-style-type: none"> <li>1. Does the 12"x6" continuous footing meet the definition of foundation?</li> <li><u>2. Does the 12"x6" continuous footing meet the intent of the code for the units being attached?</u></li> <li><u>3. Do the two dwelling units share a common foundation?</u></li> </ol> <p><u>*Please see continued discussion on attached and detached dwelling definitions under OAR 660-008-0005.</u></p>

<b>Dwelling, Duplex</b>	<b>A building designated or used exclusively for the occupancy of two (2) families on a single lot living independently from each other and having separate facilities for each family as defined under “DWELLING” above.</b>
Comments: These units do not meet the definition of a duplex as they are on individual lots, rather than 2 units on one lot.	
<b>Dwelling, Single-Family Detached</b>	<p><b>A. A dwelling on a single lot either constructed on-site or a modular constructed in accordance with Oregon Building Codes and assembled on site, and designed or used exclusively for the occupancy of one family and having separate facilities for only one family as defined under “DWELLING” above; or</b></p> <p><b>B. A manufactured home designed and used exclusively for the occupancy of one family as defined under “DWELLING” above and which is located and maintained in compliance with Section 10-12 of this Title.</b></p> <p><b>C. Except as authorized in A and B of this definition, in determining compliance with the provisions and uses of this Code, a mobile home, manufactured home, or a modular resembling a mobile home or manufactured home, is not</b></p>
Comments: The dwellings will be placed on individual lots and designed with the intent of a single-family occupancy. They are proposed to be attached by a single 12” x 6” <i>continuous concrete footing</i> . The Planning Commission is tasked with determining if this single footing meets the criteria for being attached by the foundation.	
<b>Dwelling, Single-Family Attached</b>	<b>A dwelling constructed in a row of two or more attached dwellings, where each dwelling is located on its own lot and shares a common wall or walls, roof, or foundation with adjacent dwellings. Commonly referred to as a townhouse or row house.</b>
<p>Comments: The dwellings will be placed on individual lots and designed with the intent of single-family occupancy. They are proposed to be attached by a single 12” x 6” continuous concrete footing. The Planning Commission is tasked with determining if this single footing meets the criteria for being attached to the foundation of the adjacent dwelling. The Planning Commission is tasked with <u>three 2</u> main questions:</p> <ol style="list-style-type: none"> <li>1. Does the 12”x6” continuous footing meet the definition of foundation?</li> <li><u>2. Does the 12”x6” continuous footing meet the intent of the code for the units being attached?</u></li> <li><u>3. Do the two dwelling units share a common foundation?</u></li> </ol> <p><u>*Please see continued discussion on attached and detached dwelling definitions under OAR 660-008-0005.</u></p>	

Below are two images snipped from Sheet 3 Foundation Plan of the drawing set. The first is a snip from the entire foundation plan for one home and the second drawing are typical for a footing and interior footing. Based on the description in the below image the connection appears to be an interior footing design poured adjacent to the foundation. No explanation was provided for how the footing was integrated into the perimeter footing and insulation.



**From Webster's Third New International Dictionary of the English Language, Unabridged:**

When FCC Title 10, Chapter 2: Definitions does not include a definition then FCC 10-2-13 instructs *Webster's Third New International Dictionary of the English Language, Unabridged* to be used. FCC 10-2 does not include the definition for *footing* or *foundation*. Therefore, the Webster's definition is included below.

***Footing: 7a : the substructure or bottom unit of a wall or column : BASE b : the part of the bottom of a structure that is in contact with the soil or rock foundation c : an enlargement at the lower end of a foundation wall, pier, or column to distribute the load***

The submitted site plan indicates a 12"x6" *continuous concrete footing* to connect to adjacent home as the proposed attachment for these units to be defined as attached single family dwelling units. The *continuous concrete footing* may partially meet the 7b. definition of a footing as it is *the part of the bottom of a structure that is in contact with the soil or rock foundation*. However, the 12"x6" *continuous concrete footing* does not meet the definition of a footing when using 7a. as the footing is not the substructure or bottom unit of a wall or column nor does the footing meet section 7c. that reads; *an enlargement at the lower end of a foundation wall ... to distribute the load*.

Conclusion: The proposed materials that create physical contact between adjacent dwelling units may meet the definition of a footing as it is in contact with the dwelling units' individual foundations and may be able to be considered an enlargement at the end of the foundation wall. However, the structure does not meet the definition of footing when considering the statement *to distribute load*. Exhibit D supplies information on the load that the footing is supporting in the form of sand and rain loads. These loads will be discussed in more detail later in this section.

The submitted application materials do not include engineering documents to support that the proposed footing attachment is providing a load bearing or distribution benefit to the dwelling units. Therefore, it is more appropriate to define this contact piece as something other than a footing.

***Foundation: 4 a : an underlying natural or prepared base or support b : a means of transferring building loads to the soil below (1) : the supporting part of a wall or structure usu. Below ground level and including footings (2) : the whole masonry structure or substructure of a building 5: a body or ground upon which something is built up or overlaid***

The definition of foundation includes language for providing a base of support and a means of transferring building loads to the soil below. No engineering plans were submitted to demonstrate the 12"x6" *continuous concrete footing* is designed to transfer building loads or offer support to the building. This 12"x6" *continuous concrete footing* does not meet the definition of a foundation.

The foundation of a structure is also defined as *the whole masonry structure or the substructure of a building*. The proposed footing may be considered a portion of a foundation, but is not considered the whole foundation. The proposed footing is not part of the foundation structure where the housing unit will be built up or overlaid. Therefore, the proposed footing does not meet the definition of a foundation.

Conclusion: The 12"x6" *continuous concrete footing* does not meet the FCC approved definition of a foundation. Therefore the two dwelling units are not attached by a foundation and the proposed

attachment neither meets the code or the intent of the code for these dwelling units to be classified as attached single family dwellings. Furthermore, only one dwelling unit site plan was included and no image was included to illustrate how the adjacent unit is proposed to be attached.

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## **Oregon Building Code: 2021 Oregon Residential Specialty Codes**

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### **Chapter 4: Foundations**

#### **Section R401**

##### **General**

##### **R402.1**

**Foundation construction shall be capable of accomodating all loads in accordance with Section R301 and of transmitting the resulting loads to the supporting soil. Fill soils that support footings and foundation shall be designed, installed and tested inaccordance with accepted engineering practice.**

The footing materials proposed as the atchment point for dwellings does not meet the definition of a foundation and no evidence has been submitted to demonstrate that the footing meets the requirements of a foundation as described above.

The proposed footing may be a portion of the foundation (although the plans do not illustrate this rather a connection), but it is not the foundation. Therefore, these units are not attached by a shared foundation.

The additional evidence provided in Exhibit D does not supply further evidence to support that the proposed 12" x 6" continuous concrete footing is a shared foundation of the two dwelling units that are the subject of this review process.

#### **Section R403**

##### **Footings**

##### **R403.1 General.**

**All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, crushed stone footings, wood foundations, or other approved structural systems that shall be of suffcient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undistributed natural soil or engineered fill. Concrete footing shall be designed and constructed in accordance with the provisions of Section R403 or in accordance with ACI 332.**

Chapter 2 of the 2021 Oregon Residential Structural Specialty Codes did not include a definition for footing, neither does the 2022 Oregon Structural Specialty Code that regulates commercial construction. This General section describing footing was included instead. This General description of the footing includes the requirement that they shall be of sufficient design to accommodate all loads according to R103. As previously stated, the application materials did not include engineering evidence that the proposed footing was designed to accommodate necessary loads of the dwelling unit.

Conclusion: ~~There is not sufficient information provided in the application to demonstrate that the proposed footing is designed for the purpose and intent of a footing. The additional evidence provided in Exhibit D argues that the proposed *footing* is supporting dead loads of sand and live loads / environmental loads of rain. Below are the definitions of dead loads and live loads from the 2021 ORSC with a summary below each.~~

---

**Dead Loads: The weight of materials of construction incorporated into the building, including but not limited to walls, floors, roofs, ceilings, stairways, built-in partitions, finishes, cladding, and other similarly incorporated architectural and items, and fixed service equipment.**

---

Summary: the evidence provided in Exhibit D does not sufficiently explain how the sand supported by the footing is part of the “materials of construction incorporated into the building.” The *footing* is supporting weight from the 12” of sand, but this is not “materials of construction” and this does not add to the argument that this footing is supporting or incorporated into the two dwellings or that sand is a component of a shared or common foundation of the two units.

**Live Loads: Those loads produced by the occupancy of the building or other structure and do not include construction or environmental loads such as wind load, snow load, rain load, earthquake load, flood load or dead load.**

---

Summary: The evidence supplied in Exhibit D argues that the criteria of an environmental load is clearly met by the rain loads in combination with the dead load of the sand that the *footing* is supporting. The above definition states it does not include construction loads or environmental loads, such as rain loads. Therefore, arguing that that *footing* is supporting a live load of rain is not a valid argument as rain loads are not live loads. The definition of a live load is a load produced by the occupancy (use) of the building. No additional evidence has been supplied to indicate the occupancy of the building is being supported by the *footing* that is being used as a connection point for these two dwellings.

## Chapter 2: Definitions

**Dwelling.** Any building that contains one or two dwelling units used, intended, or designed to be built, used, rented, or leased, let, or hired out to be occupied, or that are occupied for living purposes.

**Dwelling Unit.** A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

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### OAR 660-008-0005: Definitions

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**(1) “Attached Single Family Housing” means common-wall dwellings or rowhouses where each dwelling unit occupies a separate lot.**

FCC 10-10-7 relating to attached housing definition being attached by a wall foundation, roof, or foundation has the intent of this OAR definition to have housing units with a common wall. The

intent of attached single family housing is not to attach two housing units by a connection that does not provide a structural component to both units.

**(4) “Detached Single Family Housing” means a housing unit that is free standing and separate from other housing units.**

The proposed housing unit design has adjacent units attached by a single *footing*. From the public ROW these units will appear to be free standing ~~and~~. The plan submitted proposes the two dwelling units are attached by a footing. No attached roof or wall are proposed as being shared. Therefore, these two dwelling units must be attached by a shared common foundation to meet the criteria of being attached. ~~No~~ evidence has been submitted to demonstrate ~~the structural necessity of the footing to these dwelling units~~ that the footing meets the definition or intent of a shared common foundation. These two units have individual foundations with a single *footing* as a possible connection point. However, the applicant has not evidenced how this connection is being made and rather appears to be an isolated footing shared by the lots rather than the dwellings. These dwelling units do not share a wall, a roof, or a foundation. Therefore, these dwelling units as proposed ~~more closely~~ meet the definition for detached dwellings, rather than not attached.

---

**TITLE 10: CHAPTER 10: RESIDENTIAL DISTRICTS**

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**10-10-2: Residential Uses**

The below discussion on minimum lot dimensions and square footage was included as reference to the reasoning for requiring attached single family attached dwelling units in Phase 1B or the Three Mile Prairie Subdivision. The lots do not meet minimum square footage or dimensions for single family detached dwelling units.

**Table 10-10-2-A The following table indicates which uses are permitted in each residential zone.**

Uses	Medium Density Residential
Single-family Detached Dwelling	Permitted: Type I Review
Single-family Attached Dwelling	Site Review: Type II Review
Duplex / Duet	Permitted: Type I Review

As previously stated, attached single-family attached dwellings may be reviewed as a Type II process when clear code compliance is present and limited discretion is required. The Planning Director has determined that more discretion is required based on the proposed attachment than can be reviewed through a Type II process. Therefore, this design review has been referred to Planning Commission for review and decision.

A Type I review may be completed for detached single-family dwellings in the Medium Density Residential District (MDR). However, the proposed lots in Phase 1B of the Three Mile Prairie Subdivision do not meet minimum lot requirements for single family detached and will be discussed in more detail below.

#### 10-10-4: LOT AND STANDARD PROVISIONS:

**A. Minimum lot dimensions:** to be designated a building site, a lot must meet the following minimum lot dimensions:

**Table 10-10-4-A. Minimum Lot Dimensions by Development Type**

Type	Medium Density Residential	
	Width	Depth
All development types including single-family detached <sup>2</sup> , except:	50 ft.	80 ft.
Single-family attached dwelling or duet (single unit)	25 ft.	80 ft.
<sup>1</sup> Undersized lots of record with dimensions below the minimum may still be eligible for development. See Section 10-10-12. <sup>2</sup> Cluster housing shall meet minimum lot sizes in FCC 10-10-8-C-2-b. <sup>3</sup> The single-family attached dwelling dimensions shall also apply to single-family detached dwellings in the HDR zone.		

A site plan for only one lot was submitted. Additional information will be required to determine which process the adjacent home design will go through. The lot illustrated in the site plan is 36' x 105' and meets the dimension for a single family attached dwelling unit ~~and duet~~. The lot does not meet minimum requirements for a single-family detached dwelling.

**B. Minimum Lot Area:** To be designated a building site, a lot must meet the following minimum lot area:

**Table 10-10-4-B. Minimum Lot Area by Development Type<sup>1</sup>**

Development Type	MDR	Depth
Single-family Detached dwelling	5,000 sq. ft	80 ft.
Single-family Attached dwelling	3,000 sq. ft	80 ft.
Duplex or Duet (both units)	5,000 sq. ft.	80 ft.
<sup>1</sup> Undersized lots of record with area below the minimum may still be eligible for development. See Section 10-10-12 of this Title. <sup>2</sup> Cluster housing shall meet minimum lot sizes in FCC 10-10-8-C-2-a		

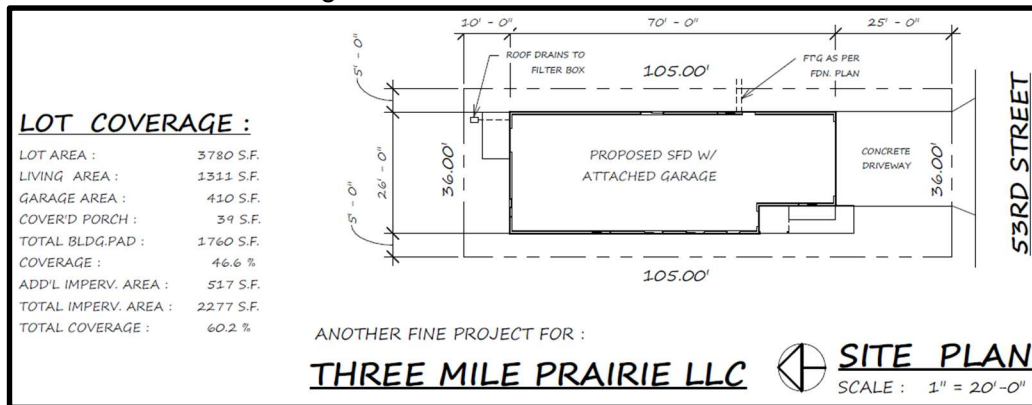
The proposed lot area is 3780 square feet. These lots meet the minimum size requirement for single-family attached dwelling. As previously stated, the proposed connection point does not meet code criteria for the units ~~being attached by the~~ sharing a common foundation. Therefore, these are not attached dwelling units.

The proposed lot does not meet the minimum square footage for a detached single-family dwelling.

**C. Lot Coverage: The maximum coverage shall not exceed the following:**

	Medium Density Residential
Maximum Building Coverage	50%
Maximum Coverage by all impervious surfaces	75%

Proposed building coverage is 46.6% and maximum coverage by all impervious surface is proposed to be 60.2%. See image below from Sheet A of 5. This criterion is met.



**D. Yard Regulations: Unless an adjustment or variance is granted in accordance with Chapter 5 of this Title, minimum setbacks and yard regulations shall be as indicated below:**

	Medium Density Residential
<b>Front</b>	
Primary	10 ft
Garage	20 ft
<b>Side</b>	
Primary	5 ft
Accessory Building	5 ft
Garage or Carport	20 ft
<b>Rear</b>	
Primary	5 ft
Accessory Building	5 ft
Garage or Carport	10 ft
Garage or Carport Vehicular Entrance Wall	20 ft

<sup>1</sup>Single-family detached and duplex dwellings in the HDR District shall have the same front, side and rear yard regulations as the MDR District.

<sup>2</sup>Minimum side setbacks may be reduced to zero feet (0') for attached primary structures where they share a common wall with a structure on an adjacent lot.

<sup>3</sup>For a corner lot or parcel which adjoins the point of intersections of two streets as defined in "Lot Type Corner" both lot or parcel lines are the front line. The sum of these setbacks shall not fall below the sum of the minimum front and side yard requirements for primary building and no setback shall be below the minimum primary side yard requirement for the district.

All required setbacks are met. These criteria are met.

## 10-10-5: Site Development Provisions

## 10-10-7: Attached Housing

This report addresses the criteria related to the method of attaching the dwellings. The two above listed sections were not covered in this review. An approval of this attachment design will necessitate further review of the above sections. The proposal may or may not meet some of them as proposed.

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## VI. CONCLUSION

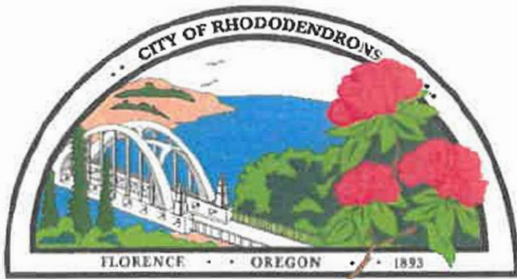
The evidence as presented does not demonstrate that the proposed 12"x6" *continuous concrete footing* meets the requirements and definition of ~~either a footing or a common or shared foundation~~ foundation. ~~As discussed, a footing is a load bearing or load distributing component of a foundation and engineering documents were not submitted to support this~~ Additional evidence was submitted, but did not sufficiently demonstrate that the proposed 12" x 6" continuous concrete footing was proving a load bearing purpose for either dwelling, but rather accepting the load of sand and rain loads. The definition for attached dwelling provided in FCC 10-2 requires attached housing to share an attached wall, roof, or foundation. The application is proposing an attached foundation by a single footing, which does not meet code criteria for sharing a common foundation. ~~These housing units, as proposed do not meet the criteria for attached housing based on FCC 10-2, the 2021 ORSC, or OAR 600-008-0005. The proposed footing does not meet the requirement for attached foundation and therefore~~ Therefore, these dwelling units, as proposed, are single family detached dwellings and the building lots do not meet minimum size requirements for detached dwellings. This application is denied based on the findings outlined above.

~~The units do not meet definition criteria for single family attached dwellings and the lots do not meet minimum design requirements for single family detached dwellings. The house design as proposed does not meet code criteria for either attached or detached single family dwelling units.~~

---

## VII. Exhibits:

"A"	Findings of Fact - Proposed
"B"	Application
"C"	House Designs Packet
"D"	<u>Carrollton Design Inc., Letter</u>



*City of Florence*  
Community Development Department  
250 Highway 101  
Florence, OR 97439  
Phone: (541) 997 - 8237  
Fax: (541) 997 - 4109  
[www.ci.florence.or.us](http://www.ci.florence.or.us)

### Type of Request

#### THIS SECTION FOR OFFICE USE ONLY

☐ Type I ☐ Type II ☐ Type III ☐ Type IV

Proposal: \_\_\_\_\_

### Applicant Information

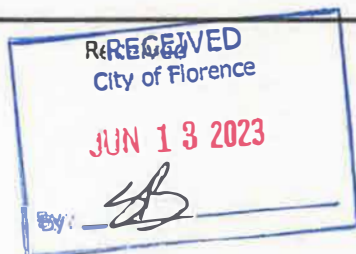
Name: Kyle Honeycutt Phone 1: [REDACTED]  
E-mail Address: [REDACTED] Phone 2: \_\_\_\_\_  
Address: [REDACTED]  
Signature: [Signature] Date: 6-13-2023  
Applicant's Representative (if any): Kyle Honeycutt

### Property Owner Information

Name: Three Mile Prairie LLC Phone 1: [REDACTED]  
E-mail Address: [REDACTED] Phone 2: \_\_\_\_\_  
Address: [REDACTED]  
Signature: [Signature] Date: 6-13-2023  
Applicant's Representative (if any): Kyle Honeycutt

NOTE: If applicant and property owner are not the same individual, a signed letter of authorization from the property owner which allows the applicant to act as the agent for the property owner must be submitted to the City along with this application. The property owner agrees to allow the Planning Staff and the Planning Commission onto the property. Please inform Planning Staff if prior notification or special arrangements are necessary.

### For Office Use Only:



Approved

Exhibit

**EXHIBIT B**

### Property Description

Site Address: 5283 and 5271 Nopal street two homes.

General Description: Three Mile Prairie Master Plan 196 lots total

Assessor's Map No.: 18-12 - 15 - 002 Tax lot(s): 18-12-078-1813 and 18-12-178-2943

Zoning District: Medium Density Residential

Conditions & land uses within 300 feet of the proposed site that is one-acre or larger and within 100 feet of the site that is less than an acre OR add this information to the off-site conditions map

(FCC 10-1-1-4-B-3): Other Medium Density Residential Housing and future lots within the masterplan.

### Project Description

Square feet of new: 1311 and 1264

Square feet of existing: New Homes

Hours of operation: 8 to 5

Existing parking spaces: 2 driveway 2 garage

Is any project phasing anticipated? (Check One): Yes ☒ No ☐

Timetable of proposed improvements: As soon as possible start with 6 to 7 month build time.

Will there be impacts such as noise, dust, or outdoor storage? Yes ☒ No ☐

If yes, please describe: Typical residential Construction noises.

Proposal: (Describe the project in detail, what is being proposed, size, objectives, and what is desired by the project. Attach additional sheets as necessary)

We are seeking a building permit that attaches the two houses using the plain language of the code described in 10-2-13 definitions.

"DWELLING, ATTACHED

A dwelling that shares a common wall or walls, roof, or foundation with adjacent dwellings.

Attached dwellings may be on a common lot or with each dwelling on its own lot."

Specify we seek to attach via a foundation per the recommendation of the Planning Director.

### For Office Use Only:

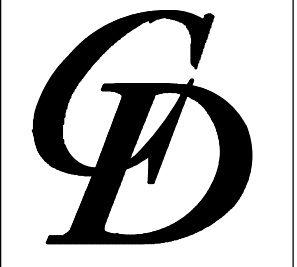
Date Submitted: \_\_\_\_\_ Fee: \_\_\_\_\_

Received by: \_\_\_\_\_

Paid

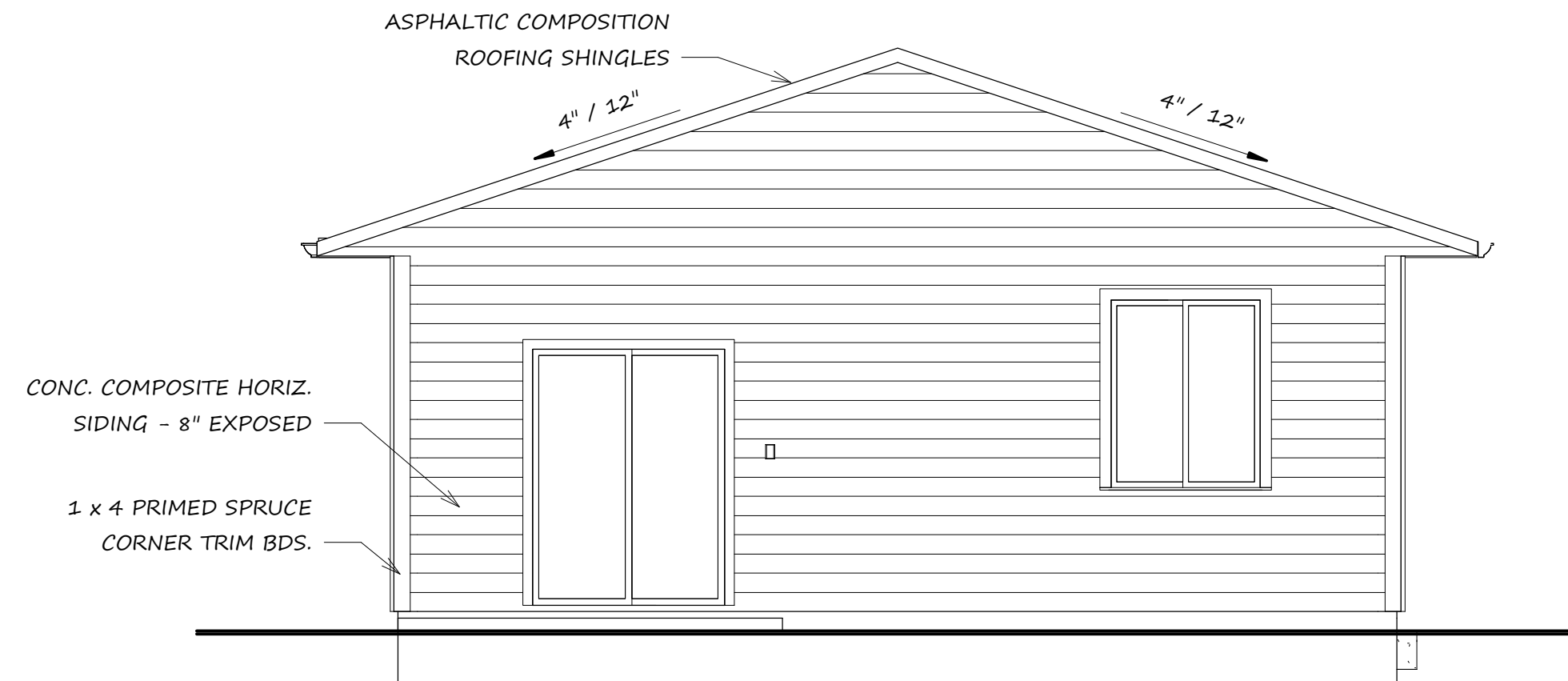
EXHIBIT C

BOARD & BATTEN SIDING  
@ FRONT GABLES AS SHOWN



Carrollton Designs Inc.  
P.O. Box 141  
Mapleton, Oregon 97453  
Ph.541.636.5053  
Ce.541.999.7886

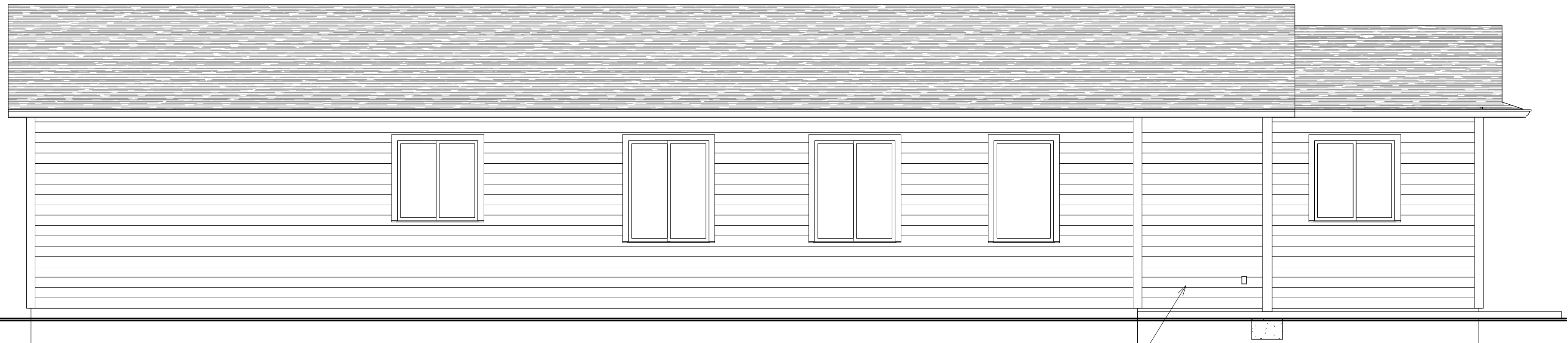
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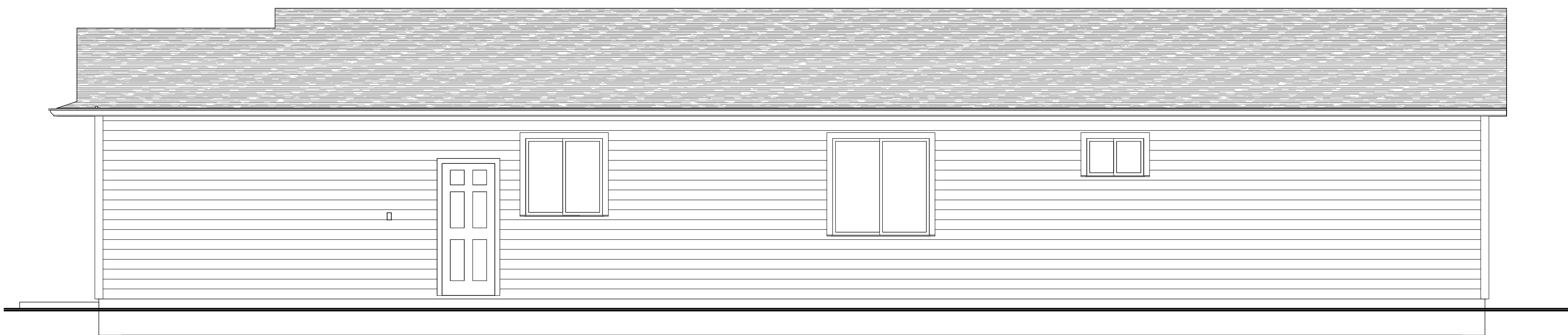
**REAR ELEVATION**  
SCALE : 1/4" = 1'-0"



**FRONT ELEVATION**  
SCALE : 1/4" = 1'-0"



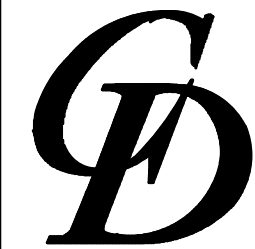
**LEFT ELEVATION**  
SCALE : 1/4" = 1'-0"



**RIGHT ELEVATION**  
SCALE : 1/4" = 1'-0"

**FLOOR AREA :**  
1311 S.F.

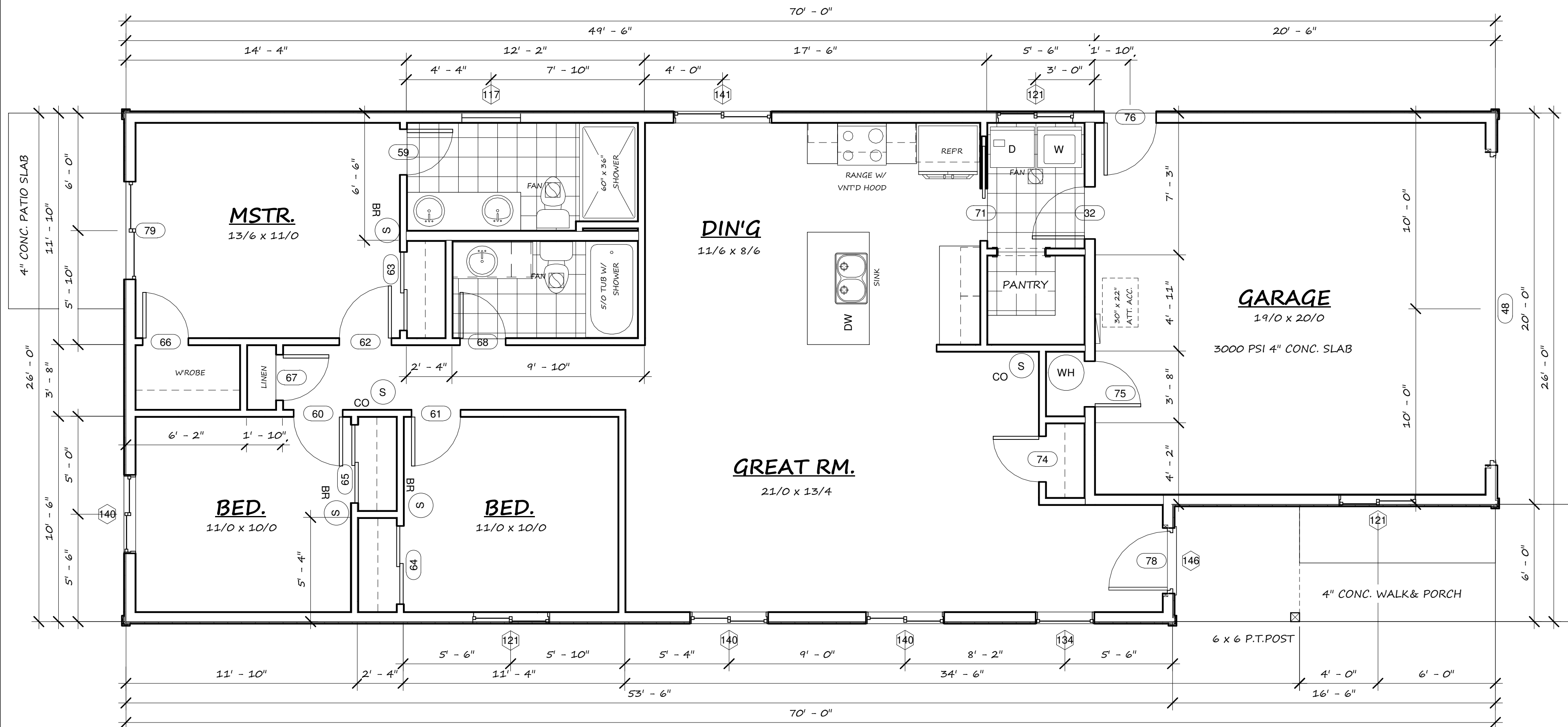
**1**  
OF 5  
ABERDEEN-REV



Carrollton Designs Inc.

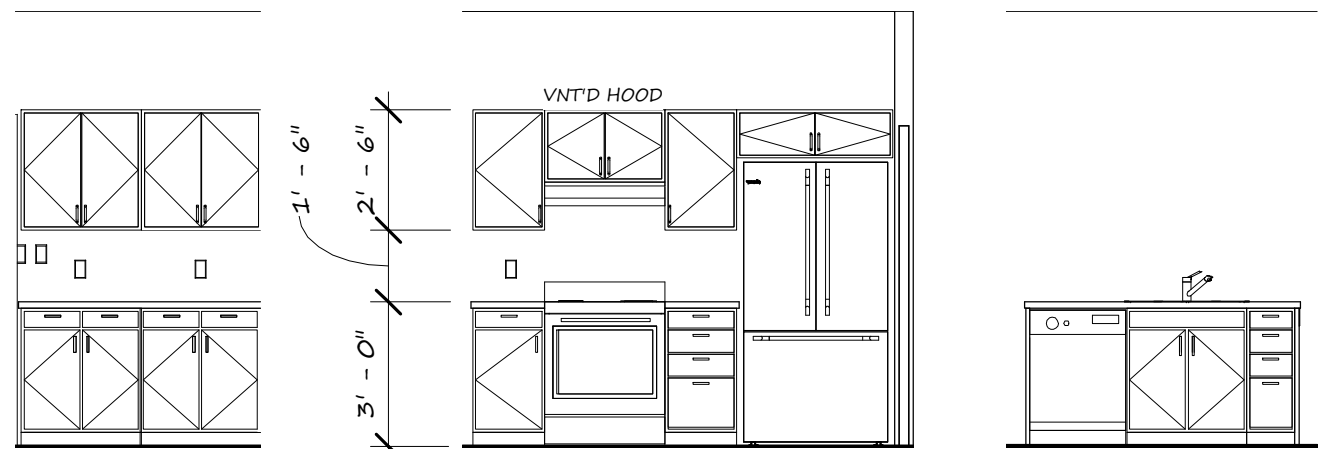
P.O. Box 141  
Mapleton, Oregon 97453  
Ph.541.636.5053  
Ce.541.999.7886

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## FLOOR PLAN

SCALE : 1/4" = 1'-0"



MASTER

HALL

## KITCHEN & BATH CABINET ELEVATIONS

SCALE :

1/4"= 1'-0"

Door Schedule		
Mark	Door Size	Notes & Comments
32	32" x 80"	Ins. FG w/20 min. assembly
48	16' x 8'	Overhead door
59	28" x 80"	
60	30" x 80"	
61	30" x 80"	
62	32" x 80"	
63	48" x 80"	
64	48" x 80"	
65	48" x 80"	
66	28" x 80"	
67	28" x 80"	
68	28" x 80"	
71	32" x 80"	
74	28" x 80"	
75	28" x 80"	
76	32" x 80"	
78	36" x 80"	Ins. FG
79	60" x 80"	

Window Schedule				
Mark	R.O.		Type	Comments
	W	H		
117	3' - 0"	2' - 0"	Slider with Trim	Obscured gls.
121	4' - 0"	4' - 0"	Slider with Trim	
134	3' - 0"	5' - 0"	Fixed with Trim	
140	4' - 0"	5' - 0"	Slider with Trim	
141	5' - 0"	5' - 0"	Slider with Trim	
146	3' - 0"	1' - 0"	Fixed with Trim	

### NOTES !!!

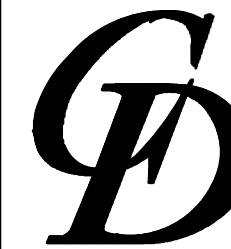
- ALL EXTERIOR WALLS SHALL BE 2 x 6 STUDS @ 16" O.C. (U.N.O.)
- ALL INTERIOR WALLS SHALL BE 2 x 4 STUDS @ 16" O.C. (U.N.O.)
- ALL WINDOWS TO BE ARGON-GAS FILLED VINYL SASH UNITS MANUPD BY MILGARD MANUFACTURING - WILSONVILLE, OREGON.
- SLIDING GLASS DOORS TO BE ARGON-GAS FILLED "LOW-E" GLASS VINYL UNITS BY MILGARD MANUFACTURING.
- ALL SKYLIGHTS TO BE DBL-GLAZED WOOD FRAMED UNITS AS MANUFACTURED BY VELUX SKYLIGHTS.

FLOOR AREA :  
1311 S.F.

2

OF 5

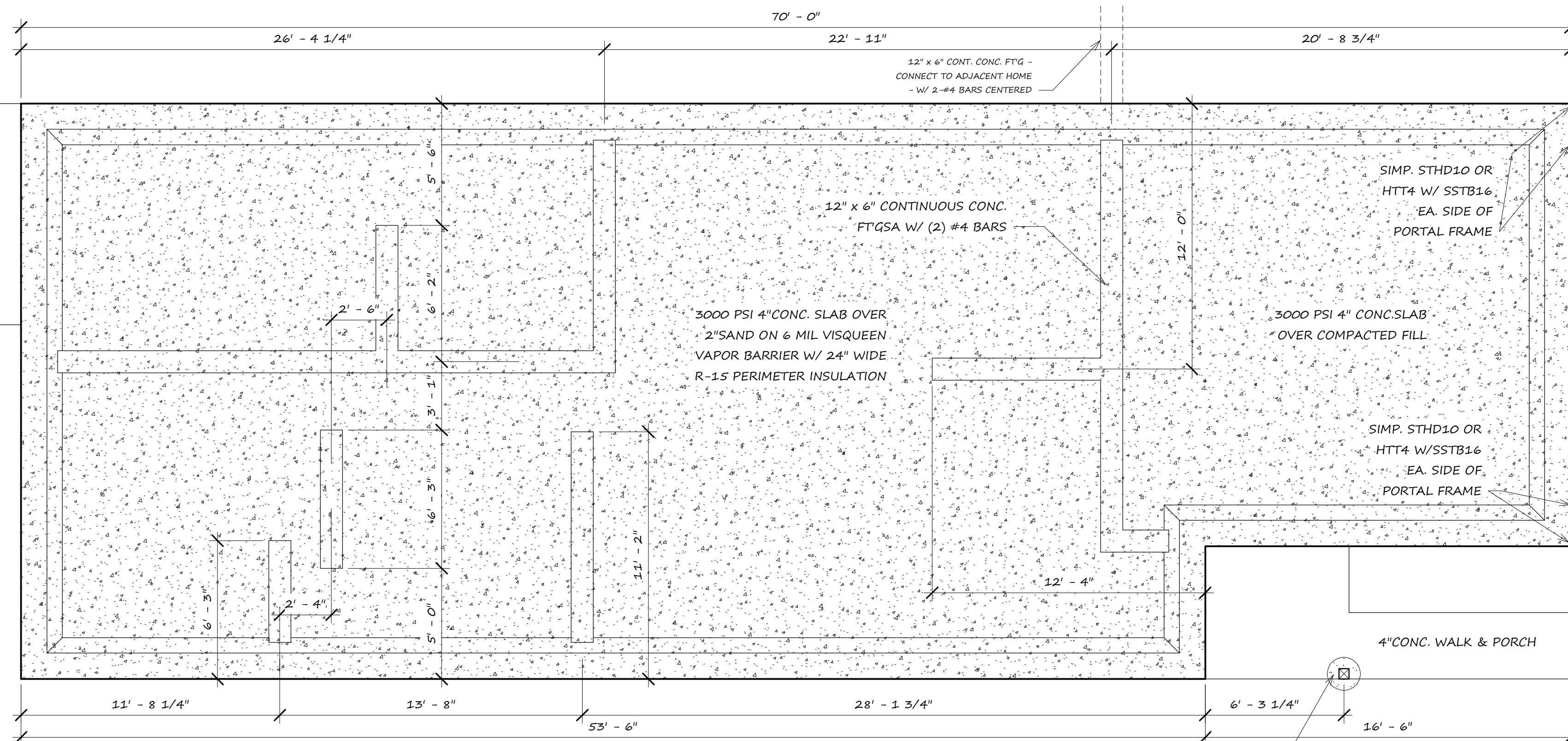
ABERDEEN-REV



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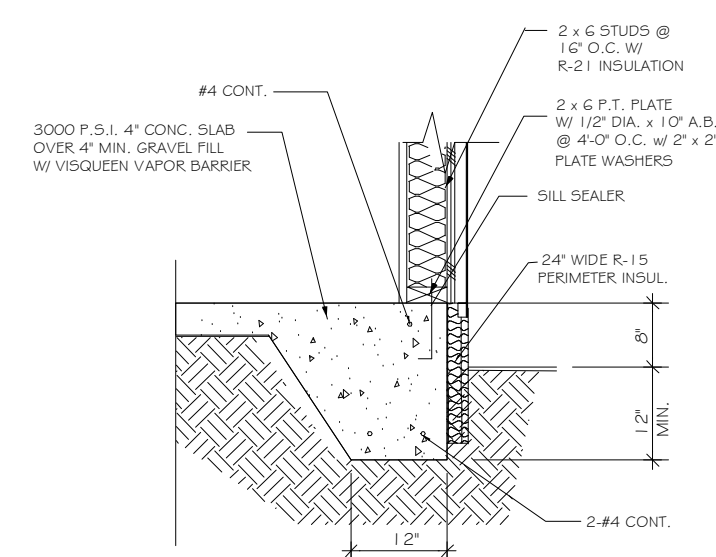
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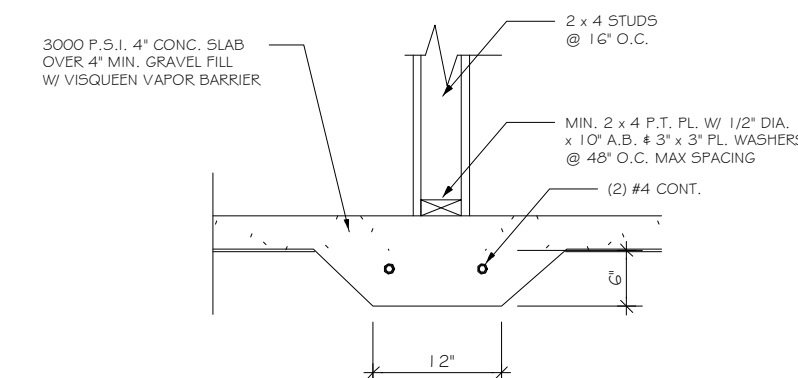


**FOUNDATION PLAN**  
SCALE : 1/4" = 1'-0"

18" DIA. x 12"  
CONC. FT'G W/  
SIMP. CBSQ66 BASE



**TYPICAL FT'G**  
SCALE : 1/2" = 1'-0"

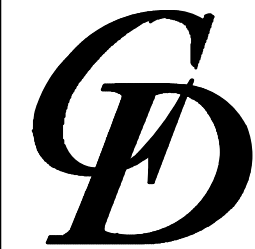


**INTERIOR FT'G**  
SCALE : 1/2" = 1'-0"

**FLOOR AREA :**  
1311 S.F.

**3**  
OF 5

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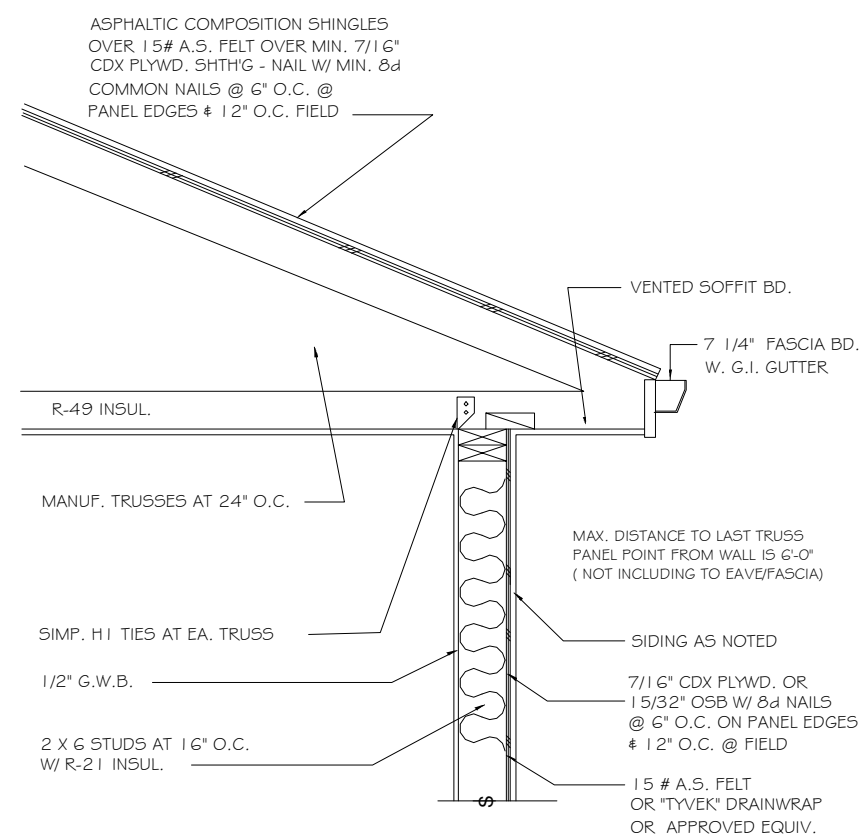
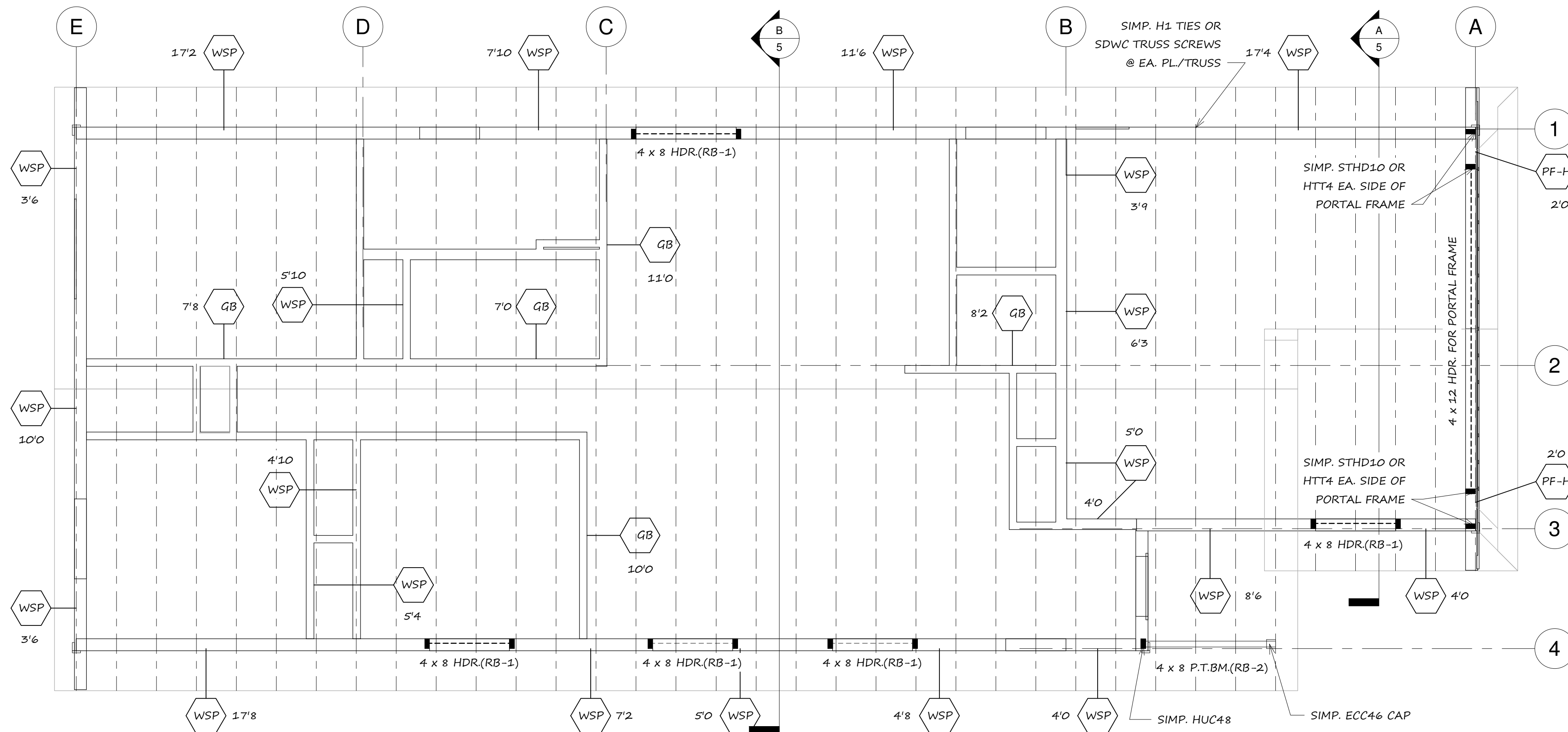
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**FLOOR AREA :**  
1311S.F.

**4**

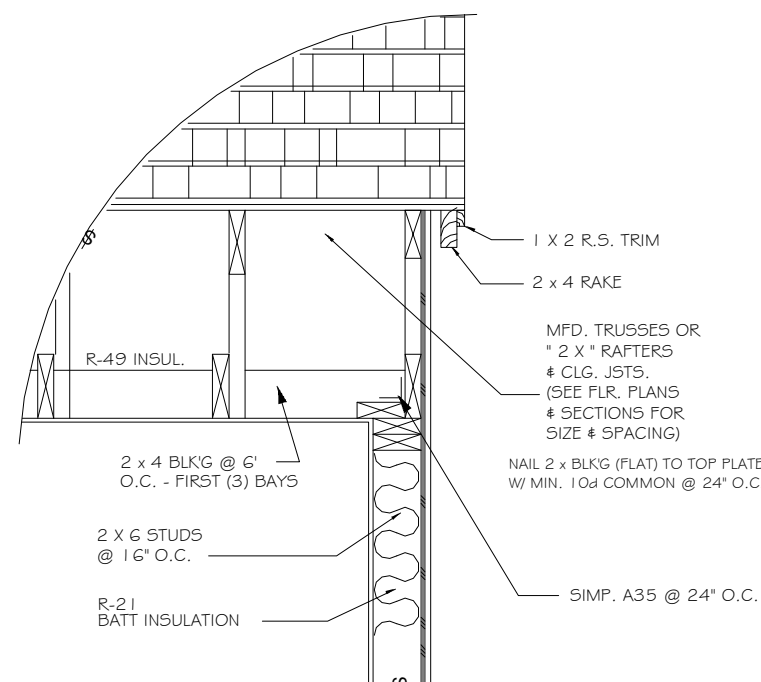
OF 5

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### TYPICAL EAVE

SCALE : 1/2" = 1'-0"



### TYPICAL RAKE

SCALE : 1/2" = 1'-0"

### NOTES :

\* USE MANUP'D TRUSSES @ 24" O.C. UNLESS NOTED OTHERWISE.

\* USE 4 x 8 HDRS. @ EXTERIOR WALL OPN'GS & INTERIOR BRG WALL OPN'GS UNLESS NOTED.

\* INDICATES INTERIOR BEARING WALLS

\* INDICATES BRG POINT - MIN. (2) 2 x 4 POSTS UNLESS NOTED.

\* CONTINUOUS STRUCTURAL SHTH'G AS PER SEC R602.10.4.2 OF THE 2021 OREGON RESIDENTIAL SPECIALTY CODE SHALL BE APPLIED TO ALL EXTERIOR WALLS. USE 7/16" CDX PLYWD. 32/16 OR 15/32" OSB W/ 6d NAILS @ 6" O.C. @ PANEL EDGES & 12" O.C. IN FIELD - BLOCK ALL HORIZ. EDGES.

\* LENGTHS OF WSP PANELS ARE SHOWN @ EACH BRACED WALL LINE

- \* INDICATES WSP PANEL AS PER TABLE R602.3(3)
- \* INDICATES PANELS NEXT TO GARAGE OPENINGS - SEE WSP
- \* INDICATES PORTAL FRAME AS PER SEC. R602.10.6.4
- \* INDICATES ALT. BRACED WALL AS PER SEC. R602.10.6.1
- \* INDICATES PORTAL FRAME AS PER SEC. R602.10.6.2
- \* INDICATES GWB EACH SIDE FASTENED AS PER TABLE 702.3.5 2021 ORSC 8" O.C. @ EDGES

## ROOF FRAMING PLAN

SCALE : 1/4" = 1'-0"

### PRESCRIPTIVE LATERAL DESIGN

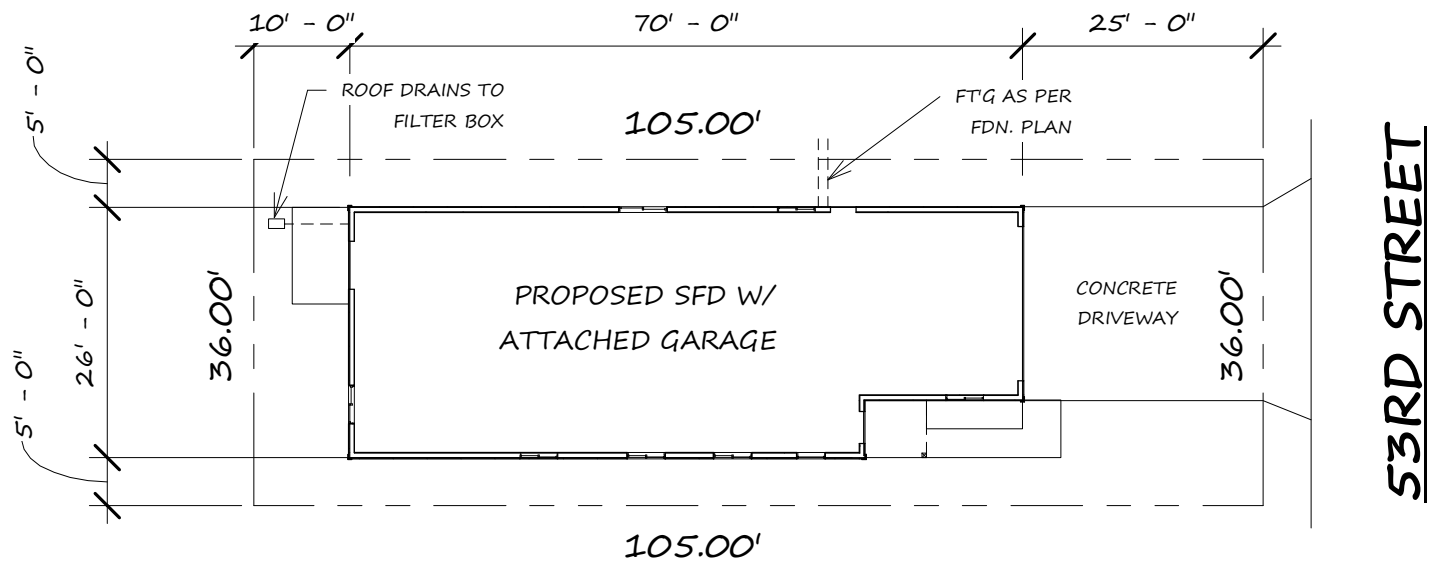
#### 2021 ORSC

WALL LINE	LENGTH	PANEL SHOWN
1	70'0	53'10
2	49'6	22'10
3	20'6	16'6
4	49'6	38'6
A	20'0	8'0(PF)
B	26'0	15'0
C	26'0	21'0
D	26'0	16'0
E	26'0	17'0



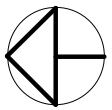
### LOT COVERAGE :

LOT AREA :	3780 S.F.
LIVING AREA :	1311 S.F.
GARAGE AREA :	410 S.F.
COVER'D PORCH :	39 S.F.
TOTAL BLDG.PAD :	1760 S.F.
COVERAGE :	46.6 %
ADD'L IMPERV. AREA :	517 S.F.
TOTAL IMPERV. AREA :	2277 S.F.
TOTAL COVERAGE :	60.2 %



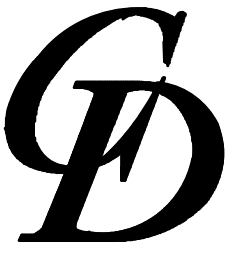
ANOTHER FINE PROJECT FOR :

**THREE MILE PRAIRIE LLC**



**SITE PLAN**

SCALE : 1" = 20'-0"



**Carrollton Designs Inc.**

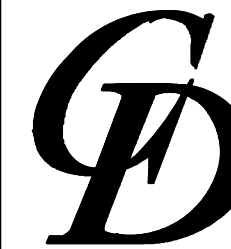
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**FLR.AREA :**  
1311 S.F.

**A**  
OF 5

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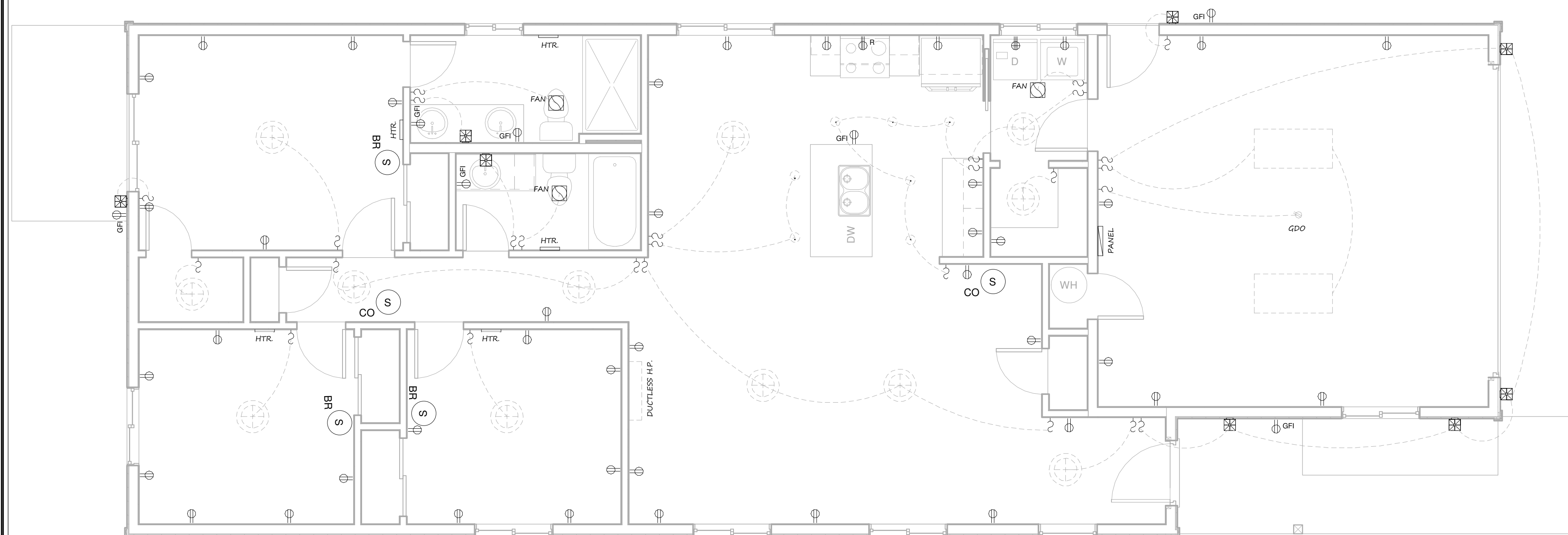
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**FLOOR AREA :**  
1311 S.F.

**E**

OF 5

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**ELECTRICAL PLAN**  
SCHEMATIC



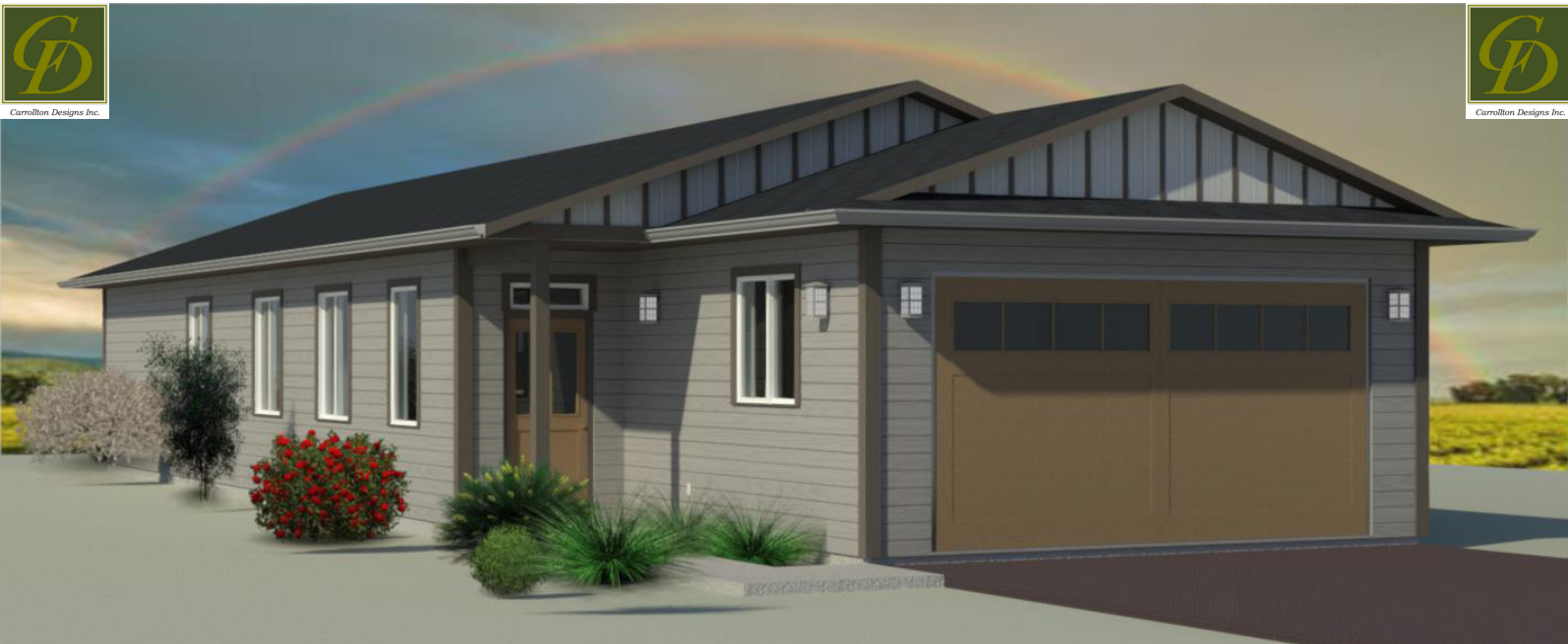
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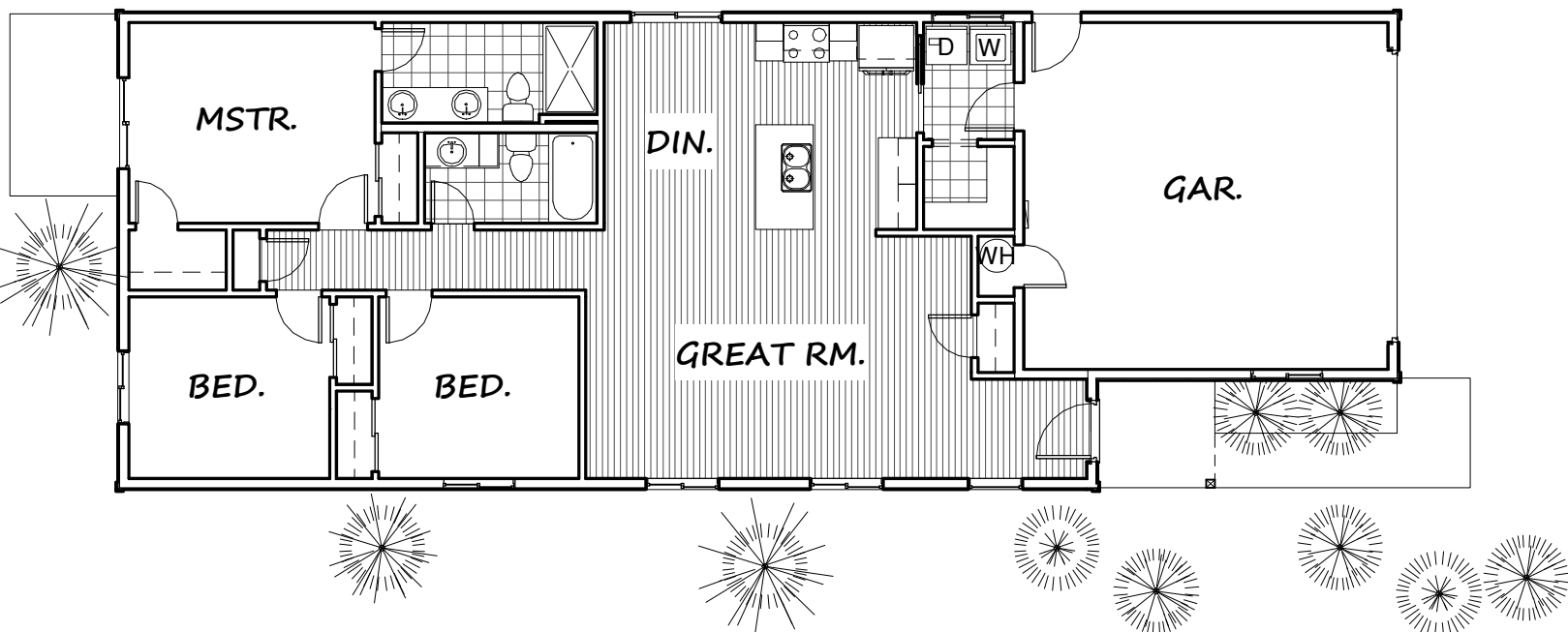


Carrollton Designs Inc.



## ABERDEEN-REVERSE

1311 S.F.



## THREE MILE PRAIRIE, LLC



CARROLLTON DESIGNS INC.  
P.O. Box 141  
MAPLETON, OREGON 97453

Friday, August 04, 2023

Planning Commission  
City of Florence  
250 Hwy 101  
Florence, Oregon 97439

Re: RESOLUTION PC 23 09 DR 03

To the City of Florence:

The resolution before you appears to be about “definitions” of foundations as proposed by the applicant. According to the Florence City Code, we are talking about Single Family Attached Dwellings. Because of the narrow width of these lots, Table 10-10-4-A requires these dwellings must be attached. In Section 10-10-7, C 1 b., we find the definition of ‘attached’ to mean units attached by wall(s), roof, or foundation. The proposal is to have the units attached via a continuous concrete footing. There has been some confusion on what the definition of a foundation means and whether or not a foundation is a structural element that supports a design load.

Let’s visit the 2021 ORSC, the current governing code for the State of Oregon, for clarification. Chapter 2, Definitions, Sections R202 defines Dead Loads as “The weight of the materials of construction incorporated into the building, including, but not limited to, walls, floors, roofs, ceilings, stairways, built-in partitions, finishes, cladding, and similarly incorporated architectural and structural items and fixed service equipment.” Here, with a footing located 12” below grade, we have a Dead Load of 12” of sand, landscaping, and other architectural features. For those doubting that 12” of sand creates a load, imagine 12” of sand weighing down your deck, roof, floor, or even pickup bed. Here, common sense plus the applicable building code tells us that 12” of sand is clearly a Dead Load from a design standpoint.

Now, let’s look into Live Loads. Defined as “Those loads produced by the use and occupancy of the building or other structures and do not include construction or environmental loads such as wind load, snow load, rain load, earthquake load, flood load, or dead load.” Here, it is feasible to use a live load definition as other structure. But the real definition of environmental loads is key here, specifically rain load. If 12” of sand has weight, and it clearly does at 101.82# per cubic foot, then sand saturated with rain load, just under 130# per cubic foot, is even greater. The proposed footing is a standard 12” x 6” continuous concrete footing which, according to the 2021 ORSC, is used to support one floor and one roof or less in residential dwellings. Again, using the definition as an environmental load, the criteria is clearly met.

I designed my first home in the spring of 1978. Since then, I have designed, drawn, and provided the proper calculations for well over 2000 individual projects. Over my 45 plus year career, my home designs have been built in all 50 states, all but 2 Canadian provinces, England, France, and Spain in Europe, Kenya, and South Africa on the continent of Africa,

**PC 23 09 DR 03**

**Exhibit D- Carrollton Design Inc., Letter**

**1 of 2**

Mexico, Brazil, Australia, and Japan. I've designed in every major jurisdiction in this state, and most of the minor ones as well. I've dealt with a plethora of Design Reviews, planning departments and commissions, and historical Architectural Review Committees, such as a current project in Ashland, Oregon. Never, in those 45 years, have I seen so much fuss about the definition of a structural element, especially one that is crystal clear. There has been a lot of talk about providing more housing in Florence. At some point, there needs to be more walking, and less talking. I grew up in the Florence-Mapleton area. I left a welcoming, open, and friendly community back then. To my dismay, when I returned over 30 years later, I encountered a less welcoming and less open community. When it takes so much time, money, effort, and real cost to simply build a home, then it's also clear that the priorities of this area have been degraded significantly. It almost appears that this area is prioritizing affluent and vacation ownership while crushing affordable housing for today's youth. This is a tragedy on many fronts. For starters, if young people cannot buy a home and build equity in it.... the same way that each and everyone of you has been able to do.....then there is no reason for them to stay in this area. When that happens, the schools will die. The service industries will be even more short staffed. You see, when you make it clear that you are not really for affordable housing based on your actions, whether by an elected commission or by a bureaucratic staff, then all the words you speak will have no meaning or weight to these young people. And if they feel abandoned, they will rightfully abandon this community.

We can all appeal to the emotion of the moment, but the logical, legal, and justifiable decision is for this body to approve the proposal from Three Mile Prairie.

Thank you all,



**BOB CARROLL**

PRESIDENT & FOUNDER  
CARROLLTON DESIGNS INC.

OFFICE : 541.636.5053  
MOBILE : 541.999.7886  
DZYNRBOB@CDIHOMEPLANS.COM

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