

**FINDINGS OF FACT  
FLORENCE PLANNING COMMISSION  
Exhibit "A"**

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**Public Hearing Date:** April 23, 2024      **Planner:** Clare Kurth

**Application:** PC 24 14 DR 03 (Previously PC 24 11 CUP 08)

**I. PROPOSAL DESCRIPTION**

**Proposal:** A Design Review application seeking approval for a covered play structure and associated improvements at the Siuslaw Elementary School property.

**Applicant:** Soderstrom Architects on behalf of the Siuslaw School District

**Property Owner:** Siuslaw School District 97J

**Location:** 2221 Oak St., on the west side of Oak St between 21<sup>st</sup> and 23<sup>rd</sup> St.

**Site:** Map # 18-12-22-00-00300

**Comprehensive Plan Map Designation:** Public Open Space

**Zone Map Classification:** High Density Residential (HDR)

**Surrounding Land Use / Zoning:**

Site: Siuslaw Elementary School / HDR

North: Siuslaw Middle School / HDR

South: Single Unit Detached (SUD) Dwellings / Medium Density Residential

East: SUDs / Medium Density Residential

West: Professional Office and Vacant Land / Pacific View Business Park

**Streets / Classification:**

West – None; South – None; North – None; East – Oak Street / Collector

**II. NARRATIVE:**

An application was received on February 19, 2024, seeking design review approval for a covered play structure to be located at the Siuslaw Elementary School at 2151 and 2221 Oak Street. The purpose of this structure is to provide additional outside play space during recess for students when it is raining. The structure is proposed to be 26' 7" in height and 62' x 88' 8" (5,497.5 sq ft). The building is proposed to be a prefabricated metal structure with exterior metal siding on the east and west building elevations and 12" CMU blocks on the north and south exterior building elevations. The structure will include both pedestrian doors and roll up overhead doors on the east and west elevations.

In addition to the covered play structure, the project proposal includes pedestrian walkways connecting this building to other buildings onsite and a rain garden to manage post developmental water flows.

This project proposes a total of 6,707 sq. ft with the combination of the structure (5,497.5 sq ft) and additional impervious surfaces (1,209.5 sq ft). In accordance with FCC 9-5 criteria, plans for a rain garden to manage post development flows have been proposed in the area of 3 parking spaces on the east side of the Siuslaw School District Office (located on the same site as the play structure).

The Siuslaw Elementary School has gone through several phases of development. These past approvals are referenced in these findings of fact as relevant to review criteria. Past land use approvals referenced in the report include:

- Resolution 82-3-2-8: a 1982 addition (sq. ft. not identified)
- Resolution PC 85 11 19 43: a 14,000 sq ft addition in 1985,
- Resolution PC 91 5 28 22 DRB: a 48,000 sq foot addition in 1991, and
- Resolution 04 03 09 10 in 2004 the Head Start Building was installed between the northern elementary school and southern middle school sites.

During each of these development projects the site has been reviewed against code criteria. This proposed project represents a design review for new construction greater than 1,500 sq ft, requiring Planning Commission review and approval. This project is an expansion of normal ancillary uses for the approved public school use and is not an expansion of greater than 25% and therefore does not require a new conditional use permit.

### III. NOTICES & REFERRALS:

**Notice:** On April 3, 2024, notice was mailed to surrounding property owners within 300 feet of the property and a sign posted on the property. Notice was published in the Siuslaw News on April 17, 2024.

At the time of this report, no public comments were received.

**Referrals:** Referrals were sent to the Florence Public Works, Central Lincoln PUD, CTCLUSI, and Siuslaw Valley Fire and Rescue (SVFR) on April 4, 2024.

Agency referrals are used to determine the need for conditions of approval within their applicable review criteria.

Referral Comments Received:

*SVFR (Exhibit E): "Western Lane Fire and EMS Authority has no issue with the plans as presented for the new covered play structure at the Siuslaw Elementary School."*

### IV. APPLICABLE REVIEW CRITERIA

Criteria Applying to this Matter for the application include:

#### **Florence City Code, Title 10: Zoning Regulations**

- Chapter 1: Zoning Administration, Sections 1-4, 1-5; 1-6-3
- Chapter 3: Off-Street Parking and Loading, Sections 2 through 5, 8, 9, & 10
- Chapter 6: Design Review, Sections 4, 5-1, 6-3, 6-4-G, 7, 8, & 11
- Chapter 8: Nonconforming Lots & Uses, Section 2
- Chapter 10: Residential District, Sections 3 through 5
- Chapter 34: Landscaping, Sections 3 through 5

Chapter 35: Access and Circulation, Section 3-2 & 3-3  
Chapter 37: Lighting, Sections 2, 3, & 6

**Title 9: Utilities**

Chapter 5: Stormwater Management Requirements, Sections 1 through 4

**2020 Florence Realization Comprehensive Plan**

Ch. 2, Other Plan Designation Categories: Public

**V. FINDINGS**

Code criteria 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 [...]**  
  
[...]
  - 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.**
- 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.**

The application was submitted February 19, 2024 and on March 7<sup>th</sup> with receipt of payment the application was deemed received for completeness review. With receipt of revised plans, the application was deemed complete for processing on March 27, 2024. The application was reviewed within 30 days of being deemed received. This criterion is met.

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)**

Onsite conditions were discussed in the Civil Calculation document submitted as part of this application and entered as Exhibit D. This criterion is met.

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.**

The application was submitted digitally and included narrative statements related to different aspects of the project to include the general land use application, stormwater report, and geotechnical report. This criterion is met.

6. **Shall be accompanied by any other information deemed necessary by the City Planning Department.**

No additional information was deemed necessary by the City Planning Department.

7. **Shall be accompanied by the required, non-refundable fee.**

The applicant submitted payment of the required fees to the Planning Department. This criterion has been 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)**

All documents and evidence relied on were submitted by the applicant at least 30 days prior to the hearing, other than those specifically requested by the Planning Department staff. This criterion is met.

[...]

**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.)

The application was deemed complete by the Planning Department as of March 27, 2024. The Planning Commission’s public hearing was held with proper notification processes on April 23, 2024. This criterion has been met.

**10-1-1-6-3: TYPE III REVIEWS – QUASI-JUDICIAL 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:**
- 2. Modification of greater than 1,500 square feet or greater than 25% of the building square footage, whichever is less.**

The proposed covered play structure represents a modification to the Siuslaw Elementary School of greater than 1,500 sq ft and therefore requires a Type III Quasi-Judicial Land Use Hearing. This criterion is being met through this review process.

**B. Notification of Hearing:**

- 1. 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 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 Type III (quasi-judicial) hearing, notice shall be published one (1) time in a newspaper of general circulation. The newspaper’s affidavit of publication of the notice shall be made part of the administrative record.**

Notice of the application was mailed to property owners within 301’ feet of the subject property and posted on the property on April 3, 2024, 20 days prior to the public hearing. A public hearing notice was published in the Siuslaw News on April 17, 2024. This application was noticed at 301’ feet in the event a variance or CUP was deemed necessary, rather than having to re-notice. This criterion 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 criteria 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 criteria 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.**

The notice contained all the required information listed in FCC 10-1-1-6-3-C. These criteria have been met.

**D. Hearing Procedure: All Type III hearings shall conform to the procedures of Florence City Code Title 2, Chapters 3 and 10.**

**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.**

On April 23, 2024, the Planning Commission held a duly noticed public hearing per the procedures of FCC 2-3 and FCC 2-10 to consider the matter, evidence relevant to the issue, the facts within the record, and any applicable public testimony received.

- F. Notice of Decision by the Planning Commission: A notice of the action or decision of the Planning Commission, and right of appeal shall be given in writing to the applicant. Any party who testified either in writing or verbally at the hearing must provide a mailing address in order to be noticed. The notice may be served personally, or sent by mail. The notice shall be deemed served at the time it is deposited in the United States mail.**

Following a decision by the Planning Commission, notice of the action and decision will be mailed to the applicant and any party who has testified either in writing or verbally at the public hearing.

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**TITLE 10: CHAPTER 3: OFF-STREET PARKING AND LOADING**

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**10-3-2: GENERAL PROVISIONS:**

- C. If parking space has been provided in connection with an existing use or is added to an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this Chapter.**

[...]

The three most southeasterly parking spaces (adjacent to Oak St.) are proposed to be removed for the construction of a rain garden. The proposed elimination of parking spaces does not result in fewer parking spaces than is required by this Chapter.

Based on past land use approvals it is estimated that there are 148 parking spaces on site. Resolution PC 85 11 19 43 CUP reported 62 spaces were present at the time of approval and Resolution PC 91 5 22 DRB reported 86 additional parking spaces proposed with the approved expansion. At the time of this approval parking calculation methodology was calculated at 1 space per classroom, plus 1 space per full-time staff. Based on the parking minimum at the time the school had an excess in parking.

$$62 + 86 = 148$$

The Siuslaw Elementary School site serves both the school and the 2,364 sq ft administrative office building. At the time of past approvals, the minimum parking was calculated at 1 space per classroom plus 1 space per full-time employment. Current code requires 1 space per classroom only. Therefore, the net 145 parking spaces exceeds minimum parking requirements based on current code criterion.

Administration Building: 2,364 sq. ft. / 400 sq. ft. = 5.91 parking spaces.

Elementary School: 44 classrooms = 44 parking spaces

The Head Start building located along the northern property line oriented its entrance to the north and thus was approved to use 9 parking spaces at the Siuslaw Middle School located at 2525 Oak St. through Resolution 04 03 09 10. The Siuslaw Middle School had an excess of 40 spaces at the time of the Head Start approval. This is significant to this review as the required parking for Head Start is located on the Middle School property to the north and is not located on the project site.

In summary, the elimination of 3 parking spaces on the Siuslaw Elementary School site does not eliminate minimum parking as required by this chapter. This criterion is met.

**10-3-3: MINIMUM STANDARDS BY USE:** The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10-3-1. Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described below:

**10-3-4: MINIMUM REQUIRED PARKING BY USE:** During the largest shift at peak season, fractional space requirements shall be counted as the next lower whole space (rounded down). Square footages will be taken from the gross floor area (measurements taken from exterior of building). Applicants may ask the Planning Commission for a reduction for parking spaces as part of their land use application. The applicant will have to provide the burden of evidence to justify the reduction proposed. The Planning Commission and/or staff may require the information be prepared by a registered traffic engineer. Table 10-3-1 lists the minimum parking spaces required by use, with a minimum no less than two (2) spaces for non-residential uses, plus additional space(s) as needed to meet the minimum accessible parking requirement.

Table 10-3-1, Minimum Required Parking By Use:

**B. Institutional and Public Assembly Types:**

Elementary, middle school and other children’s day schools	1 space per classroom, or as determined by the Planning Commission
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The proposed use of the covered play structure is to provide a play area for existing students on rainy days. Previous land use approvals used methodology that required 1 parking space per fulltime employee. Current code does not require parking based on full-time employees and this structure will not be classified as a classroom and therefore does not trigger a requirement for additional on-site parking. At a future date, if the covered play structure is converted into classrooms, minimum parking requirements will be reevaluated based on parking requirements at that time (Informational 1).

**10-3-5: VEHICLE PARKING - MINIMUM ACCESSIBLE PARKING:**

- A. Accessible parking shall be provided for all uses in accordance the standards in Table 10-3-2; parking spaces used to meet the standards in Table 10-3-2 shall be counted toward meeting off-street parking requirements in Table 10-3-1;**
- B. Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway;**
- C. Accessible spaces shall be grouped in pairs where possible;**
- D. Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered non-accessible spaces;**
- E. Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.**



<b>Table 10-3-2 - Minimum Number of Accessible Parking Spaces</b> Source: ADA Standards for Accessible Design 4.1.2(5)			
<b>Total Number of Parking Spaces Provided (per lot)</b>	<b>Total Minimum Number of Accessible Parking Spaces (with 60" access aisle, or 96" aisle for vans*)</b>	<b>Van Accessible Parking Spaces with min. 96" wide access aisle</b>	<b>Accessible Parking Spaces with min. 60" wide access aisle</b>
	<i>Column A</i>		
<b>101 to 150</b>	<b>5</b>	<b>1</b>	<b>4</b>
<b>*vans and cars may share access aisles</b> <b>** one out of every 8 accessible spaces</b> <b>***7 out of every 8 accessible parking spaces</b>			

The net parking spaces onsite will be 145 and will require 5 ADA parking spaces. 7 ADA parking spaces are visible on Sheet C1.01 title Civil Key Plan of Exhibit C. None of the ADA parking spaces are proposed to be eliminated. This criterion is met

**10-3-8: PARKING AREA IMPROVEMENT STANDARDS: All public or private parking areas, loading areas and outdoor vehicle sales areas shall be improved according to the following: All required parking areas shall have a durable, dust free surfacing of asphaltic concrete, cement concrete, porous concrete, porous asphalt, permeable pavers such as turf, concrete, brick pavers or other materials approved by the City. Driveways aprons shall be paved for the first fifty feet (50') from the street.**

[...]

**D. Parking spaces shall be located or screened so that headlights do not shine onto adjacent residential uses.**

This project proposes replacing 3 parking spaces adjacent to Oak St with a rain garden in the south east most corner of the parking lot near the School District office located at 2111 Oak St. The applicant is proposing adding slats to the existing fence adjacent to these parking spaces to screen headlights from shining onto adjacent residential uses.

The proposed changes to the parking lot adjacent to Oak St. warrant bringing screening along these spaces to current code for screening of headlights from the adjacent street and residential uses to the east. The extent of on-site changes and lack of parking space additions does not warrant requiring screening along the entire parking area adjacent to Oak St. This criterion is met proportional to the modification and expansion of the use.

**10-3-9: PARKING STALL DESIGN AND MINIMUM DIMENSIONS: All off-street parking spaces (except those provided for a single-family; duet, duplex dwelling; or tri-plex, quad-plex, or cluster housing development that provides off-street parking through a carport or garage) shall be improved to conform to City standards for surfacing, stormwater management, and striping and where provisions conflict, the provisions of FCC Title 9 Chapter 5 shall prevail. Standard**

parking spaces shall conform to minimum dimensions specified in the following standards and Figures 10-3(1) and Table 10-3-3:

- A. Motor vehicle parking spaces shall measure nine (9) feet and six (6) inches wide by nineteen (19) feet long.
- B. Each space shall have double line striping with two feet (2') wide on center.
- C. The width of any striping line used in an approved parking area shall be a minimum of 4" wide.
- D. All parallel motor vehicle parking spaces shall measure eight (8) feet six (6) inches by twenty-two (22) feet;
- E. Parking area layout shall conform to the dimensions in Figure 10-3(1), and Table 10-3-3, below;
- F. Parking areas shall conform to Americans With Disabilities Act (ADA) standards for parking spaces (dimensions, van accessible parking spaces, etc.). Parking structure vertical clearance, van accessible parking spaces, should refer to Federal ADA guidelines.

This section is included as a reference to current minimum parking stall design and minimum dimensions. The proposed project does not warrant bringing the onsite parking into compliance. However, when the parking lot is restriped, parking spaces shall be stiped to be brought in to current Code compliance (**Informational 9**).

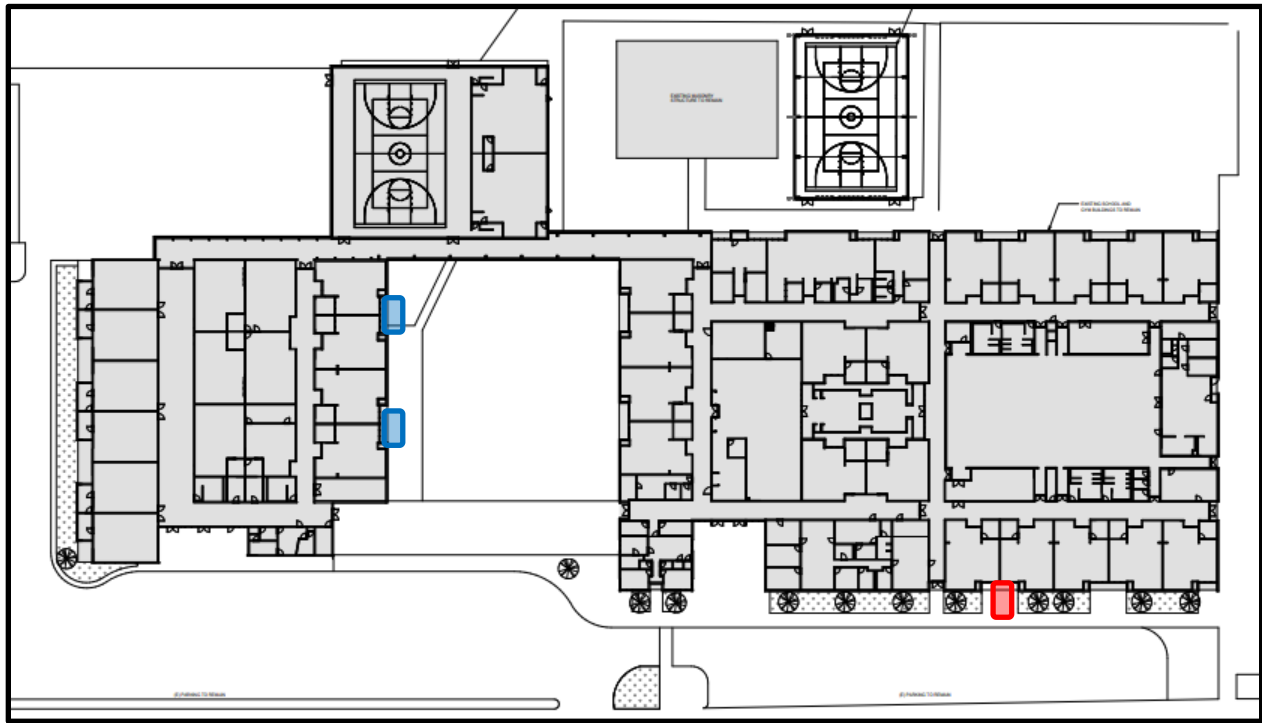
**10-3-10: BICYCLE PARKING REQUIREMENTS: All new development that is subject to Site Design Review, shall provide bicycle parking, in conformance with the standards and subsections A-H, below.**

[...]

- B. **Minimum Required Bicycle Parking Spaces. Short term bicycle parking spaces shall be provided for all non-residential uses at a ratio of one bicycle space for every ten vehicle parking spaces. In calculating the number of required spaces, fractions shall be rounded up to the nearest whole number, with a minimum of two spaces.**

The net onsite parking will be 145 vehicle parking spaces. Parking spaces are rounded up to the nearest whole number. At a 1:10 ratio, 14 bicycle parking spaces would be required. The site has bike racks in 2 locations on site. Nine are located on the pedestrian walkway north of the main entrance (indicated in red below) and two bike racks able to accommodate 14 bicycles each are located near the building in the southern portion of the courtyard (indicated in blue below).

This project represents new development and would have required a proportionate amount of increased bicycle parking, if the parking minimum had not been met and exceeded.



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**TITLE 10: CHAPTER 6: DESIGN REVIEW**

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**10-6-4: DRAWINGS TO BE APPROVED:** No permit for a new use, structure or exterior alteration or enlargement of an existing use or structure that is subject to design review, as prescribed in this Title, shall be issued until the drawings required by this Chapter have been approved by the Planning Commission, Planning Director, or their designee

This criterion is being met through this review process.

**10-6-5: GENERAL APPROVAL CRITERIA:**

**10-6-5-1: GENERAL CRITERIA FOR NONRESIDENTIAL DEVELOPMENT:** Nonresidential projects shall meet the following criteria. The Planning Commission or Planning Commission or their designee may require any of the following conditions it deems necessary to secure the purpose and intent of this Chapter. The Commission or their designee shall consider the following criteria reviewing applications and may set conditions or standards which regulate and limit the following:

- A. Setbacks, yards, height, density and similar design features according to the underlying zoning district.**

Information pertaining to all above mentioned criteria was submitted as part of this complete application. As proposed, the design and location of the structure meets all minimum requirements for the underlying zone. These items will be discussed in more detail under section FCC 10-10 that regulates the underlying HDR zoning district.

- B. Lot area, dimensions and percentage of coverage according to the underlying zoning district.**

Information pertaining to all above mentioned criteria was submitted as part of this complete application. These items will be discussed in more detail under section FCC 10-10 that regulates the underlying HDR zoning district.

**C. Installation and maintenance of fences, walls, hedges, screens and landscaping according to standards set forth in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.**

Landscaping and screening will be discussed in more detail under section FCC 10-34 and was previously discussed under section FCC 10-3.

**D. The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards set forth in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.**

There are no proposed changes to vehicular access and egress points on the subject site. Pedestrian access and egress points will be discussed in more detail under FCC 10-35.

**E. Noise, vibration, smoke, dust, odor, light intensity and electrical interference's.**

No vibration, smoke, dust, odor, light, or electrical interference has been proposed other than what is normal from construction and considered normal for the approved use as a school. No noise, vibration, smoke, dust, odor, intense light nor electrical interference will be permitted from the proposed building per the City's nuisance code. This criterion is met.

**F. Parking and outside display areas, dimensions, surfacing and on-site traffic circulation according to standards set forth in FCC 10-3 Parking and Loading.**

Outside display areas have not been proposed. Parking and circulation were previously discussed under section FCC 10-3.

**G. Architectural quality and aesthetic appearance, including compatibility with adjacent buildings.**

The building is proposed to be a prefabricated metal structure with CMU walls in the north and south with overhead doors that can be opened weather permitting. The existing school site has had multiple building additions, as discussed in the narrative. The building to the south was built in the 1980's and the existing gym on the western portion of the lot is grey pebble rock stucco finish as seen in the image below. The 1991 addition is reddish brown brick with brown metal trim finishing.

The proposed building is grey in color and proposed to be made of CMU blocks and metal paneling. The color palette will blend with the existing colors and materials onsite. It should be noted that structure will have minimum visibility from public ROW or civic spaces therefore a variation in color palette and materials is deemed acceptable. This criterion is met.

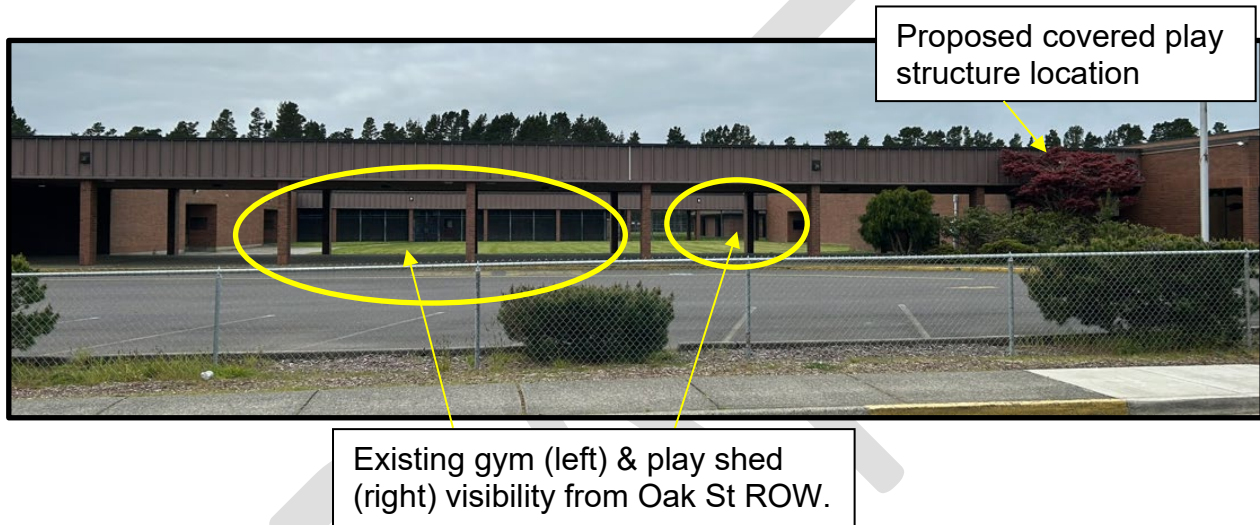
*\*The images below were taken at a site visit on April 14, 2024*



Exterior of Existing Gym



Main Entrance



Proposed covered play structure location

Existing gym (left) & play shed (right) visibility from Oak St ROW.

**H. Color, building materials and exterior appearance in accordance with the policies established by the City in the Downtown Implementation Plan, and in applicable zoning districts.**

This project is located outside the Downtown Implementation Plan Areas. This criterion is not applicable.

**I. Exterior lighting and security.**

The Site has existing fencing and vegetative buffers surrounding the permitter providing security to the site. No security issues were discussed in the application materials and therefore, additional security is not deemed necessary with this project.

The proposed lighting will be reviewed in section FCC 10-37.

**J. Public health, safety and general welfare.**

The proposed development includes ample consideration for public safety and general welfare. Referral comments from Chief Schick of the Siuslaw Valey Fire and Rescue states no concerns with the project as proposed (Exhibit E).

The stormwater report and calculation submitted as part of this application includes a geotechnical report that states the site is suitable for the proposed project from a geotechnical standpoint. The

report indicates that either a drilled shaft or mat foundation are recommended for life safety. The project proposes the use of the mat foundation.

It should be noted that an application for this project was submitted in 2023 with the covered play structure located to the south of the existing play shed and involved removing the existing shed. This application represents a revised plan that involves the existing play shed remaining and the proposed structure being constructed to the north. This represents a slight change in location. Central Geotechnical Services, LLC submitted a letter April 10, 2024 stating that they *“anticipate conditions at the relocated site will be effectively the same as the original site and our recommendations would be applicable for the revised location”* (Exhibit D.1).

A mat foundation is proposed as seen on Sheet No. S0.02 in the middle column (Exhibit C). Based on the geotechnical report this type of foundation is suitable for the existing soil conditions to be designed for life safety, but *“the building may be unsuitable for service following a design level event.”* (Geotechnical Report pg.1). Following a seismic event the structure shall be inspected by the City Building Official or other appropriate and qualified professionals to ensure safety prior to use in accordance with State Building Codes (**Informational 2**).

The report mentions in Section 7.1 Drilled Shaft Recommendations states *“Drilled shaft support has the advantage of large movement transfer capacity as well as extending to depths where firm support is available. Constructability and installation costs may limit their practical implementation, but the option is presented in case serviceable structural life is required for the project.”* (pg. 12)

The geotechnical report identifies the proposed mat foundation as appropriate for life safety and financially practical.

Due to the close proximity to the public airport zone, no glare producing materials shall be used that may impede a pilot’s vision in accordance with FCC 10-21-2-7-C. This shall include both the metal roofing materials and the translucent fiberglass sandwich panels proposed on the roofing. The metal roof is proposed to be charcoal grey in color. The submitted application materials do not state that the roofing materials will be antiglare or matte finish.

Due to the proximity to the City of Florence Airport all roofing materials shall be either a matte finish or anti-glare to be in compliance with FCC 10-21-2-7-C (**Condition 5.1**).

Public health, safety and general welfare have been considered with this project. This criterion is met or is conditioned to be met.

[...]

**L. Requiring a time period within which the proposed use or portions thereof shall be developed.**

The applicant states on the land use application that the timetable for proposed improvements will be summer 2024 – fall 2024. This is deemed acceptable, and no additional conditions are required regarding time period of development.

**M. Requiring bonds to insure performance of special conditions. (Ord. 625, 6-30-80)**

No public improvements are proposed as part of this project. This criterion is not applicable.

- N. **Such other conditions as are necessary to implement policies contained in the Florence Comprehensive Plan. (Ord. 680, 1- 11-83)**

Conditions related to the Florence Comprehensive Plan are discussed later in this report.

**10-6-6-3: BUILDING FAÇADES:**

- A. **Horizontal Design Elements: Multi-story commercial storefront buildings shall have a distinctive horizontal base; second floor; and eave, cornice and/or parapet line; creating visual interest and relief. Horizontal articulations shall be made with features such as awnings, overhanging eaves, symmetrical gable roofs, material changes, or applied fascia detail. New buildings and exterior remodels shall generally follow the prominent horizontal lines existing on adjacent buildings at similar levels along the street frontage. Examples of such horizontal lines include but are not limited to: the base below a series of storefront windows; an existing awning or canopy line, or belt course between building stories; and/or an existing cornice or parapet line. Where existing adjacent buildings do not meet the City’s current building design standards, a new building may establish new horizontal lines.**
- B. **Vertical Design Elements: Commercial storefront building faces shall have distinctive vertical lines of emphasis spaced at relatively even intervals. Vertical articulations may be made by material changes, variations in roof heights, applied fascia, columns, bay windows, etc. The maximum spacing of vertical articulations on long, uninterrupted building elevations shall be not less than one break for every 30 to 40 feet.**
- C. **Articulation and Detailing: All building elevations that orient to a street or civic space must have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, as follows:**

[...]

The location of the building will not orient any elevations to streets or civic space. The proposed building is located behind the existing elementary school that will largely obstruct the building from public view. These criteria are not applicable however, the east and west metal paneling is proposed to have vertical orientation in consistency with this code section.

**10-6-6-4: PERMITTED VISIBLE BUILDING MATERIALS: Building materials which have the same or better performance may be substituted for the materials below provided that they have the same appearance as the listed materials.**

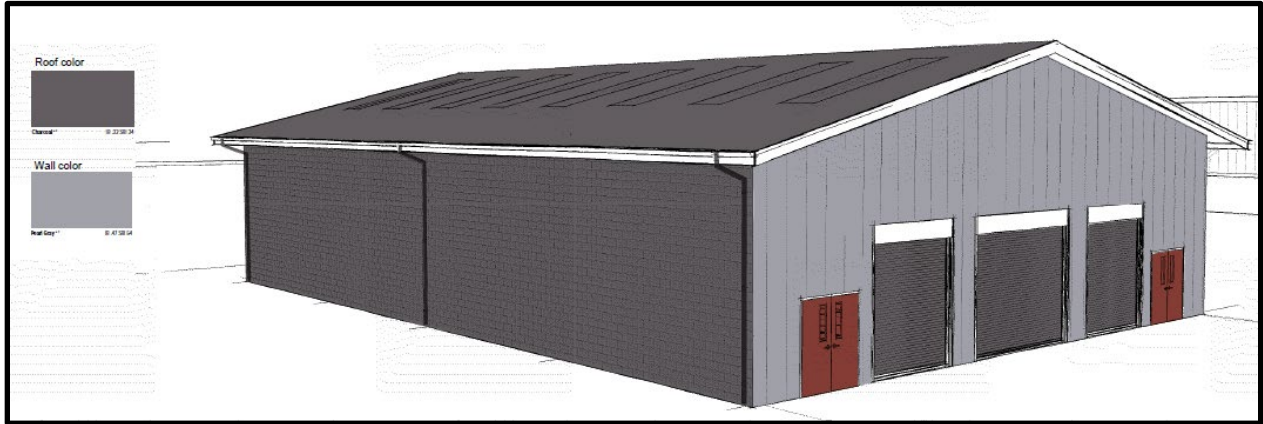
[...]

- G. **Building and Site Material Colors: Color finishes on all building exteriors shall be approved by the City and be of a muted coastal Pacific Northwest palette. Reflective, luminescent, sparkling, primary, and “day-glow” colors and finishes are prohibited. The Planning Commission/Planning Commission or their designee may approve adjustments to the standards as part of a site Design Review approval.**

The material colors and finishes provided appear to meet the requirements for a muted coastal Pacific Northwest palette. The building and roof are proposed to be shades of gray and the doors



appear to be a reddish-brown color as seen in the image below from the building plans cover page. A specific color was not submitted, but the applicant verified that the door color will match existing exterior door colors onsite (Exhibit C.1). This criterion is met.



*Visual Rendering from Exhibit C*



*Door Color Example from Site Visit April 14, 2024*

**10-6-7: OTHER DISTRICTS: ARCHITECTURAL REQUIREMENTS:** In districts other than Mainstreet and Old Town, the architectural design requirements of this section shall apply to all commercial buildings.

- A. All commercial buildings shall meet the standards of FCC 10-6-6-3 and 10-6-6-4-G above.
- B. All commercial buildings shall incorporate not fewer than three types of architectural features from 1 through 6 below. Applicants are encouraged to use those elements that best suit the proposed building style and design.

[...]

In accordance with FCC 10-2-13 this building is classified as a Key Facility and/or a Public Facility and is therefore not a commercial building. This criterion is not applicable.



<b>KEY FACILITIES</b>	Basic facilities that are primarily planned for by local government but which also may be provided by private enterprise and are essential to the support of more intensive development, including public schools, transportation, water supply, sewage and solid waste disposal.
<b>PUBLIC FACILITIES</b>	<p>Any facility that is owned, leased, operated, or funded by a governmental body or public entity, which may include but is not limited to buildings, property, recreation areas, and roads.</p> <p>The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.</p>

**10-6-8: DRAWING SUBMITTAL:** In addition to information required by FCC 10-1-1-4, the owner or authorized agent shall submit the following drawings to the City for review:

- A. A site plan, drawn to scale, showing the proposed layout of structures and other improvements including, where appropriate, driveways, pedestrian walks, off-street parking and off-street loading areas, landscaped areas, locations of entrances and exits, the direction of traffic flow into and out of off-street parking space and loading berth, and areas for turning and maneuvering vehicles. The site plan shall indicate how utility services and drainage are to be provided.
- B. A landscape plan, drawn to scale, in conformance with FCC 10-34-3-2.
- C. Architectural drawings or sketches, drawn to scale, including floor plans in sufficient detail to permit computation of yard requirements, and showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified.
- D. Additional information may be required by the City if necessary to determine whether the purposes of this Chapter are being carried out or may authorize omission of any or all the drawings required by this Chapter if they are not necessary. The City shall specify the number of copies of each drawing to be submitted.

All above mentioned information was submitted as part of this complete application. This criterion is met.

**10-6-11: LAPSE OF DESIGN REVIEW APPROVAL:** Authorization of a design review permit shall be void one (1) year after the date of approval of a either a Type II or III design review application, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Substantial construction shall be considered to be completion of a building foundation. The applicant may apply to the Planning Commission for a one-time extension of one (1) year maximum duration based on compliance with the following criteria:

- A. The request for an extension is made in writing prior to expiration of the original approval.
- B. There are special or unusual circumstances that exist which warrant an extension.
- C. No material changes of surrounding land uses or zoning has occurred.

The Planning Commission may deny the request for an extension of a design review permit if new land use regulations have been adopted that affect the applicant’s proposal. (Ord 26, 2008)

The request for Design Review approval shall expire on April 9, 2025, unless substantial construction has taken place, or an extension request is received in accordance with FCC 10-6-11A through C. (Informational 3)

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**TITLE 10: CHAPTER 8: NONCONFORMING LOTS & USES**

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**10-8-2: EXPANSION OF PRE-EXISTING, NONCONFORMING USE:** A pre- existing nonconforming use may make a normal expansion of the existing structure for the same use up to twenty five percent (25%) of the existing square footage of floor area. Expansions larger than twenty five percent (25%) require a conditional use permit issued by the Planning Commission under the terms and conditions of Chapter 4 of this Title. Any expansion of a pre- existing, nonconforming use shall be subject to design review under the provisions of Chapter 6 of this Title.

Schools are a conditional approval in the underlying HDR zoning district. This project represents an approximately 5% expansion of the pre-existing non-conforming use.

$$112,103 \text{ existing building sq ft} / 5,497.5 \text{ building sq ft} = 0.046 \text{ or } \sim 5\%.$$

As this project represents less than a 25% expansion, no additional CUP is required.

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

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**10-10-3: NON-RESIDENTIAL USES A. Table 10-10-3-A.** The following table indicates which uses are permitted in each residential zone

Uses	HDR
Public or private schools	C

**C=Type III conditional use review required and N=Not permitted**

Schools are permitted conditionally in the High-Density Residential (HDR) zoning districts. This project proposal does not require a new conditional use permit as this represents an expansion of less than 25% as discussed in section FCC 10-8 above.

**10-10-4: LOT AND YARD PROVISIONS: A. Minimum Lot Dimensions:** To be designated a building site, a lot must meet the following minimum lot dimensions:

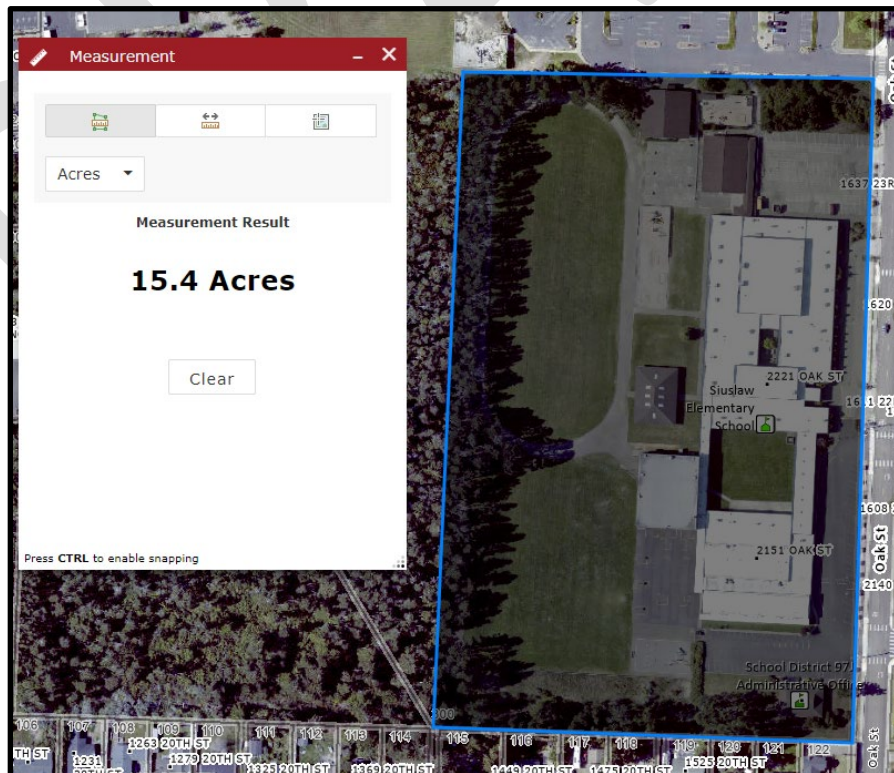
[...]

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

	LDR	MDR	RMH	HDR
Maximum building coverage	50%	50%	50%	75%
Maximum coverage by all impervious surfaces	75%	75%	75%	85%

The total site of the elementary school is approximately 15.4 acres, or 669,900 sq. ft. The proposed play structure will add 6,707 sq feet on impervious surface including both the building and the added paved walkways. The impervious surface by all structures is ~17.7% and with all impervious surfaces is well below the maximum 85%. This criterion is met.

Building	Building Size (sq. ft.)	Total Site Building Coverage (sq. ft.)	Total Site Building Coverage (%)
Head Start Office	4,256		
Elementary School 1964	25,585		
Elementary School 1992	71,567		
Gymnasium	10,695		
Admin Offices	2,364		
Proposed Structure	6,707		
<b>Totals:</b>	<b>118,810</b>		



- 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: Table 10-10-4-D. Minimum setbacks and yard regulations**

	LDR	MDR	RMH	HDR
<b>Front</b>				
Primary	10 ft.	10 ft.	10 ft.	5 ft. <sup>1</sup>
Garage or Carport vehicular entrance wall	20 ft.	20 ft.	20 ft.	20 ft.
<b>Side</b>				
Primary <sup>2</sup>	10 ft.	5 ft.	5 ft.	5 ft. <sup>1</sup>
Accessory Building	5 ft.	5 ft.	5 ft.	5 ft.
Accessory Dwelling Unit	10 ft.	5 ft.	5 ft.	5 ft.
Parking Lot, Garage or Carport	10 ft.	5 ft.	5 ft.	5 ft.
Garage or Carport vehicular entrance wall	20 ft.	20 ft.	20 ft.	20 ft.
<b>Rear<sup>1</sup></b>				
Primary	10 ft.	5 ft.	5 ft.	5 ft. <sup>1</sup>
Accessory Building	5 ft.	5 ft.	5 ft.	5 ft.
Accessory Dwelling Unit	10 ft.	5 ft.	5 ft.	5 ft.
Parking Lot, Garage or Carport	10 ft.	10 ft.	10 ft.	10 ft.
Garage or Carport vehicular entrance wall	20 ft.	20 ft.	20 ft.	20 ft.
<sup>1</sup> Single-unit 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.				

[...]

2. **All patio and playground equipment structures and swimming pools shall be a minimum of five feet (5') from any side or rear property line.**

The proposed covered play structure is setback a minimum of 5 feet from all property lines. This criterion is met.

[...]

**10-10-5: SITE DEVELOPMENT PROVISIONS:**

**A. Building or Structural Height Limitations:**

1. **Primary Structures: The maximum building or structural height shall be thirty-five feet (35'), excepting High Density District which shall permit forty feet (40'), limited to three (3) stories.**
2. **Accessory Structures: The maximum building height shall be twenty feet (20').**

The proposed covered play structure is an accessory structure to the main school building. However, the interpretation of this section is that the maximum 20 foot height limit applies to accessory structures to residential uses. Therefore, this code criterion does not apply.

[...]

**4. Nonresidential Structures: The maximum building height shall not exceed thirty feet (30').**

The proposed building is a non-residential structure and therefore this code criterion applies rather than subsection 2 above. The maximum allowed non-residential building is 30' and the building is proposed to be 26' 7" in height from average grade to roof peak. This criterion is met.

**5. Structures in the HDR, LDR, MDR and RMH shall have a minimum roof pitch of 3/12, except mobile homes in the mobile/manufactured home parks or district.**

A 3/12 roof pitch is proposed as illustrated on sheet A3.0 of the project plans (Exhibit C). This criterion is met,

**B. Fences: See Code Section 10-34-5 of this Title**

Fences are discussed in more detail under section FCC 10-34-5.

**C. Vision Clearance: Refer to Section 10-2-13 and 10-35-2-14 of this Title for definition, and requirements.**

No site changes are proposed in association with this project that are anticipated to affect vision clearance. The chain link fence adjacent to the rain garden and proposed to have added privacy slats for headlight screening is approximately 11 feet from the driveway and therefore meets vision clearance requirements in accordance with FCC 10-35-2-14. This criterion is met.

**D. Off-Street Parking: Refer to Chapter 3 of this Title (Off-Street Parking and Loading)**

Off-street parking was previously discussed under section FCC 10-3.

**E. Signs: Signs shall be in accordance with Title 4, Chapter 7 of this Code. (Ord. 4, 2011)**

No new signs or alterations to existing signs are proposed in association with this project. This criterion is not applicable.

**F. Landscaping: Except for single-unit and duplex dwellings, refer to Section 10-34 of this Title for requirements.**

Landscaping is discussed under section 10-34 as it relates to buffering and screening requirements. Landscaping will be discussed under FCC 9-5 as it relates to stormwater facility requirements.

**G. Access and Circulation: Refer to Section 10-35 of this Title for requirements.**

Access and circulation is discussed under section FCC 10-36.

**H. Public Facilities: Refer to Section 10-36 of this Title for requirements.**

No new or altered public facilities (infrastructure as regulated under 10-36) are proposed in association with this project. This criterion is not applicable.

**I. Lighting: Refer to Section 10-37 of this Title for requirements.**

Lighting is discussed under section FCC 10-37.

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**TITLE 10: CHAPTER 34: LANDSCAPING**

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**10-34-3: LANDSCAPING.**

**10-34-3-1: Applicability.** Except for single-unit and duplex dwelling uses, this Section shall apply to all new development as well as changes of use and expansions as described below, and shall apply in all districts except where superseded by specific zoning district requirements. These provisions shall be in addition to the provisions of FCC Title 9 Chapter 5 and where there are conflicts, the provisions of Title 9 Chapter 5 shall prevail.

**A. For new developments, all landscaping shall meet current code requirements. (Ord. 4, 2011) B. For modifications or additions to existing development, landscaping shall be brought up to current code requirements in the same proportion as the increase in use and/or building size. (Ord. 4, 2011)**

[...]

**B. For modifications or additions to existing development, landscaping shall be brought up to current code requirements in the same proportion as the increase in use and/or building size. (Ord. 4, 2011)**

Landscaping shall be required to be brought up to code in the same proportion as the proposed expansion and modification. The proposed expansion is estimated at 5% based on the square footage of existing buildings on site and the proposed increased building square footage of the covered play structure. The vegetated rain garden will count towards the required landscaping plan and is anticipated to meet minimum proportionate requirements based on number 9. Vegetation from sheet SW-140 requirements that requires 1 tree, 3 large shrubs, and 4 medium to small shrubs per 100 sq ft of facility area.

9. Vegetation: Follow landscape plans otherwise refer to plant list in SWDM Appendix G. Minimum container size is 1 gallon. # of plantings per 100sf of facility area:  
a. Zone A (wet): 115 herbaceous plants OR 100 herbaceous plants and 4 shrubs  
b. Zone B (moderate to dry): 1 tree AND 3 large shrubs AND 4 medium to small shrubs.  
The delineation between Zone A and B shall be either at the outlet elevation or the check dam elevation, whichever is lowest.

The required plantings shall be submitted for review by Community Development Staff if they are in strict compliance with applicable code or the City of Florence Planning Commission if discretion is required (**Condition 4.1**). This criterion is conditioned to be met.

**10-34-3-2: Landscaping Plan Required. A landscape plan is required. All landscape plans shall include the following information:**

- A. The location and height of existing and proposed fences and walls, buffering or screening materials.**
- B. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas.**
- C. The location, size, and species of the new proposed plant materials (at time of planting).**
- D. The location(s) of areas where existing vegetation will be cleared and the location(s) of areas where existing vegetation will be preserved, delineated on a recent aerial photo or site plan drawn to scale.**
- E. Existing and proposed building and pavement outlines.**
- F. Specifications for soil at time of planting, irrigation and anticipated planting schedule.**
- G. Other information as deemed appropriate by the City Planning Official.**

The applicant is proposing a rain garden to manage some existing and post development drainage. A full landscaping plan has not been submitted. However, they did submit the typical sheet SW-140 from the Stormwater Design Manual and a statement that plant selections and installation will be in accordance with Appendix G from the Stormwater Design Manual. This criterion is anticipated to be met; staff shall complete final review of the proposed plan if it strictly meets applicable Code criteria. If discretion is required in the final review and decision beyond what is permitted per FCC 10-1-1-1-6-1-A (Type I Ministerial / Staff Review) or FCC 10-1-1-6-2 (Type II Administrative Review), then approval from the Planning Commission shall be required (**Condition 4.2**). This criterion is met or is conditioned to be met.

**10-34-3-3: Landscape Area and Planting Standards. The minimum landscaping area is 15% of the lot area, unless specified otherwise in the applicable zoning district<sup>2</sup> for the proposed use. This required minimum landscaping area may be reduced if preservation credits are earned as specified in Section 10-34-2-4.**

**A. Landscaping shall include planting and maintenance of the following:**

- 1. One tree per 30 lineal feet as measured along all lot lines that are adjacent to a street.**

The lot has approximately 724 lineal feet and therefore would require 25 trees by current standards.

$$724 / 30 = 24.13 \text{ trees, which is rounded up to } 25$$

$$25 \times .05 = 1.25 \text{ trees, which is rounded up to } 2 \text{ additional trees onsite.}$$

A final landscaping plan shall be submitted to the City of Florence for final review and approval that includes the 2 required trees in the first 20 feet of the front property line. Staff shall complete final review of the proposed plan if it strictly meets applicable Code criteria. If discretion is required



in the final review and decision beyond what is permitted per FCC 10-1-1-6-1-A (Type I Ministerial / Staff Review) or FCC 10-1-1-6-2 (Type II Administrative Review), then approval from the Planning Commission shall be required (**Condition 4.3**). The typical provided for the rain garden requires zone B to include 1 tree per 100 sq ft of facility area. This tree may count towards meeting minimum onsite tree requirements. This criterion is conditioned to be met.

**2. Six shrubs per 30 lineal feet as measured along all lot lines that are adjacent to a street.**

The lot has approximately 724 lineal feet and therefore would require 145 shrubs by current standards.

$$724 / 30 = 24.13$$

$$24.13 \times 6 = 144.8 \text{ shrubs, which is rounded up to 145 shrubs}$$

$$145 \times .05 = 7.25 \text{ shrubs, which is rounded up to 8 additional shrubs onsite.}$$

A final landscaping plan shall be submitted to the City of Florence for final review and approval. Staff shall complete final review of the proposed plan if it strictly meets applicable Code criteria. If discretion is required in the final review and decision beyond what is permitted per FCC 10-1-1-6-1-A (Type I Ministerial / Staff Review) or FCC 10-1-1-6-2 (Type II Administrative Review), then approval from the Planning Commission shall be required. The landscaping plan shall include the additional 9 shrubs required within the first 20 feet of the front property line. The landscaping area along the first 20 feet of the property line abutting Oak St are located between the public ROW and onsite parking. To improve current code compliance with screening of headlights all shrubs planted outside the rain garden are encouraged to be consistent with screening requirements in accordance with FCC 10-34-3-7-A (**Condition 4.4**). The typical provided for the rain garden requires zone B to include 3 large shrubs and 4 medium to small shrubs per 100 sq ft of facility area. These shrubs may count towards meeting minimum onsite shrub requirements. This criterion is conditioned to be met.

**3. Living plant materials shall cover a minimum of 70 percent of the required landscape area within 5 years of planting.**

**4. Except for preservation of existing significant vegetation, the required plant materials on-site shall be located in areas within the first 20 feet of any lot line that abuts a street. Exceptions may be granted where impracticable to meet this requirement or the intent is better served. Required trees may be located within the right-of-way and must comply with Section 10-34-4. Plant materials may be installed in any arrangement and do not need to be equally spaced nor linear in design. Plantings and maintenance shall comply with the vision clearance standards of FCC 10-35-2-13.**

Number 4 shall be reviewed with the landscaping plan conditioned above. Number 3 runs with the property and is the obligation of the applicant to ensure adequate maintenance of plantings to meet the required coverage of the selected species.

**10-34-3-4: Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, existing native vegetation, outdoor hardscape features and storm water features, as described below.**



- A. **Plant Selection.** A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used, consistent with the purpose of this Chapter. A suggested *Tree and Plant List for the City of Florence* and the *Sunset Western Garden Book* are available at City Hall. The selection of plant and tree species shall be based upon site conditions such as wind and sun exposure, space limitations, water availability, and drainage conditions. The use of indigenous plants is encouraged, and may be required where exposure, slope or soil conditions warrant.
1. **Ground Cover.** Ground cover may consist of separate plants or mowed grass turf. Ground cover plant species shall meet the following minimum standards: plants from 4-inch pots shall be spaced a maximum of 18 inches measured on center, and 1-2 gallon size plants shall be spaced a maximum of 3 feet measured on center.
  2. **Shrubs.** Shrub plant species shall be planted from 3 gallon containers unless otherwise specified in the *Tree and Plant List for the City of Florence*.
  3. **Trees.** Evergreen and deciduous tree species shall meet the following minimum standards: deciduous trees shall be a minimum of 1 ¾ inch caliper (diameter) measured 6 inches above grade, and evergreen trees shall be a minimum of 5 feet tall (Nursery Grade 5/6).
  4. **Non-plant Ground Covers.** Bark dust, chips, aggregate, or other non-plant ground covers may be used. Non-plant ground cover located adjacent to pedestrian ways shall be confined to the material within the planting bed to avoid safety hazards by edging 4 inches above-grade or recessing from grade. Non-plant ground covers cannot be a substitute for ground cover plants.

A revised landscaping plan including the above-mentioned criteria shall be submitted for final review and approval. Staff shall complete final review of the proposed plan if it strictly meets applicable Code criteria. If discretion is required in the final review and decision beyond what is permitted per FCC 10-1-1-1-6-1-A (Type I Ministerial / Staff Review) or FCC 10-1-1-6-2 (Type II Administrative Review), then approval from the Planning Commission shall be required. This shall be reviewed with the landscaping plan conditioned above.

- C. **Hardscape features,** such as plazas, pathways, patios and other pedestrian amenities may count toward ten (10) percent of the required landscape area, except in the Old Town and Main Street districts where hardscape features may count toward 50 percent of the landscape area, provided that such features conform to the standards of those districts. Swimming pools, sports courts, decks and similar facilities may not be counted toward fulfilling the landscape requirement in any zone.

The applicant is not proposing reductions in required landscaping area.

- D. **Storm Water Facilities.** Storm water facilities, such as detention/retention ponds and swales shall be landscaped. Landscaped bio-swales are encouraged and shall count toward meeting the landscaping requirement of this section if they are designed and constructed in accordance with the standards specified in Title 9 Chapter 5, and approved by the Public Works Department. Storm water facilities shall be landscaped with water-tolerant, native plants.

The stormwater facility is discussed in more detail under Chapter FCC 9-5.

**10-34-3-5: Irrigation.** Permanent, underground irrigation is required for all landscaping, except existing native vegetation that is preserved in accordance with the specifications of Section 10-34-2-2 and new drought tolerant plants which must have temporary irrigation for plant establishment. All irrigation systems require an irrigation permit and shall be installed with a backflow prevention device per FCC 9-2-3-5.

Irrigation plans have not been submitted. At the time of landscaping plan submittal irrigation plans for new plantings, including the rain garden shall be submitted in accordance with this Code criteria (**Informational 8**).

**10-34-3-7: Buffering and Screening.** Buffering and screening are required under the conditions listed below. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with FCC 10-35-2-13. (See Section 10-34-5 for standards specific to fences and walls.)

**A. Parking/Maneuvering Area Adjacent to Streets and Drives.** Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a berm; an evergreen hedge; decorative wall (masonry or similar quality material) with openings; arcade; trellis; or similar partially opaque structure 3-4 feet in height shall be established between street and driveway or parking area. See also FCC 10-3-7-D for standards specific to parking lots adjacent to the street. The required screening shall have breaks or portals to allow visibility (natural surveillance) into the site and to allow pedestrian access to any adjoining walkways. Hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number, and spacing to provide year-round screening within five (5) years after planting. Vegetative ground cover is required on all surfaces between the wall/hedge and the street/driveway line.

The addition of privacy slats to the existing fence is proposed to meet the screening requirements in the Code section. The existing fence is at least 36” in height. This criterion is met.

[...]

Bicycle parking buffering has been conditioned elsewhere.

**D. Abutting Land Use Buffers.** When a commercial, industrial, or other non-residential use abuts a residential district or residential land use, a visual and noise buffer shall be established and maintained immediately adjacent to the residential property line, consistent with the standards listed in the table below. In no case shall the buffer strip be less than 15 feet in width unless reduced by the Planning Commission where a lesser distance will provide adequate buffering. The buffer strip may include existing vegetation, landscape plantings, evergreen hedge, berm, fence, and/or wall components. Fence and wall structures shall be not less than 6 feet and no more than 8 feet in height (see also Section 10-34-5). The landscaped buffer shall effectively screen at least 70 percent of the view between districts within five (5) years. Significant vegetation in these buffer strips may be preserved in accordance with Section 10-34-2, and replanting of local native vegetation is encouraged.

Adjoining Land	Landscaped Buffer
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Use / Zoning	and/or Fence or Wall
Abutting single family Zoning or use	15 foot buffer with 6' solid wood fence or block wall or 35 foot landscaped buffer
Abutting Duplex, triplex or townhouse zoning or use	15 foot buffer with 6' solid wood fence or block wall or 25 foot landscaped buffer
Abutting multiple family or condominiums	15 foot buffer with 6' solid wood fence or block wall or 15 foot landscaped buffer

The building is proposed to be located in excess of 35 feet from the adjacent residential uses to the south and include a vegetated buffer. This criterion is met.

**10-34-3-8: Maintenance.** If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., native Rhododendron replaces native Rhododendron, evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.) within six (6) months of their dying or removal, whichever comes first. All man-made features required by this Code shall be maintained in good condition, or otherwise replaced by the owner within six (6) months of any such feature being removed or irreversibly damaged (whichever comes first).

In accordance with this Code section, all plantings that fail to survive shall be replaced by the property owner, in this case the Siuslaw School District, within 6 months of dying or removal, whichever comes first. This shall apply to new and existing plantings onsite which shall include both the rain garden and the required tree and shrubs (Informational 4).

**10-34-5: Fences and Walls regulate the design of fences and walls, including allowable height and materials, to promote security, personal safety, privacy, and aesthetics.**

No new fences are proposed. The existing fence, as it relates to parking lot requirements and headlight screening was previously discussed under Chapter FCC 10-3.

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**TITLE 10: CHAPTER 35: ACCESS AND CIRCULATION**

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**10-35-3-2: Site Layout and Design:** To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections A - C, below:

**A. Continuous Walkway System.** The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose in accordance with the provisions of Section 10-35-2, Vehicular Access and Circulation, and Section 10-36-2 Street Standards.

B. **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following criteria:

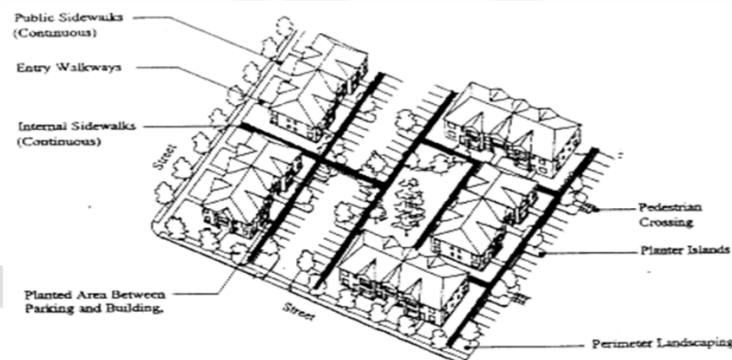
1. **Reasonably direct.** A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
2. **Safe and convenient.** Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

A pathway is proposed to connect from the proposed building with existing buildings and pathway systems to the east and north in a logical manner and connect the proposed development to existing onsite structures in a way that appears safe and direct. No hazards or obstacles are proposed. These criteria are met.

C. **Connections Within Development.** Connections within developments shall be provided as required in subsections 1 - 3, below:

1. **Walkways shall be unobstructed and connect all building entrances to one another to the extent practicable, as generally shown in Figure 10-35(5);**

[...]



Review of criterion listed under FCC 10-35-3-2-C subsections 1 and 2 have been answered under FCC 10-35-3-3-C and D and satisfactorily demonstrate that proposed internal pedestrian connections meet applicable criteria.

**10-35-3-3: Walkway and Multi-Use Path Design and Construction: Walkways and multi-use paths shall conform to all applicable standards in subsections A - D, as generally illustrated in Figure 10-35(6):**

[...]

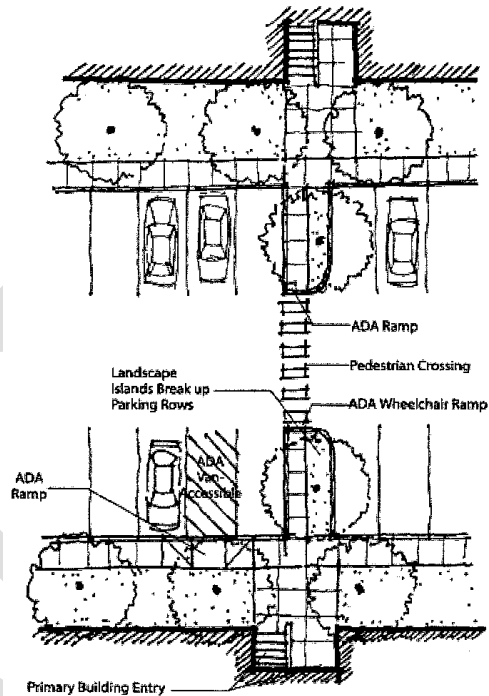
C. **Width and Surface.** Walkway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the Public Works Director, at least five (5) feet wide, without curb. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least ten (10) feet wide. (See also, Section 10-36-2)

D. **Accessible routes.** Walkways and multi-use paths shall conform to applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

The pedestrian walkway connecting this structure to other areas of the site appears to be in compliance with ADA guidelines. The pathway is 5 feet or greater in width and proposed to be pavement 4" in thickness.

This shall be confirmed at the time of building plan review and/or with a site visit prior to C of O (Informational 5). These criteria are met.

Figure 10-35(6):  
Pedestrian Walkway Detail (Typical)




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**TITLE 10: CHAPTER 37: LIGHTING**

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**10-37-2: APPLICABILITY:** Section 10-37 applies to installation of all lighting fixtures as of the effective date of this Ordinance, except as exempted by provision of this Ordinance. Devices include but are not limited to, lights for: buildings and structures, recreational areas, parking lot and maneuvering areas, landscape areas, streets and street signs, product display areas, building overhangs and open canopies, holiday celebrations, and construction lights.

- A. **Resumption of Use -** If a property with non-conforming lighting is abandoned for a period of one year or more, then all exterior lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.
- B. **Major Additions or Alterations -** If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
  1. Additions of 26 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
  2. Single or cumulative additions, modification or replacement of 25 percent or more of installed exterior lighting luminaires existing as of the effective date of this Ordinance.
  3. Existing lighting on sites requiring a conditional use permit or variance after the effective date of this ordinance.

- C. **Amortization - On or before 10 years from the effective date of this code, all outdoor lighting shall comply with this Code. Most outdoor lighting will be fully depreciated at the end of 10 years if not sooner. "Easy fixes" such as re-aiming or lowering lumen output of lamps is recommended in advance of the effective date of the ordinance. Where lighting is judged to be a safety hazard immediate compliance is required.**

**10-37-3: LIGHTING PLANS REQUIRED:** All applications for building permits and land use planning review which include installation of exterior lighting fixtures, not exempted, shall include the number of luminaires, the number of lamps in each luminaire, a photometric report for each type of luminaire and a site plan with the photometric plan of the lumen output.

The City shall have the authority to request additional information in order to achieve the purposes of this Ordinance.

No exterior lights are proposed on the covered play structure. If lighting is proposed at a later date, it shall be in compliance with this Code Chapter and require review and approval in accordance with this Chapter and FCC 10-1 (Informational 6).

**10-37-6: PROHIBITIONS:**

- A. **Laser Light Source. The use of laser source light or any similar high intensity light for exterior advertising or entertainment is prohibited.**
- B. **Searchlights and Strobe Lights. The use of searchlights or strobe lights for purposes other than public safety or emergencies is prohibited.**
- C. **Blinking & Flashing Lights. All blinking and flashing lights except for traffic control fixtures, those used for public safety or emergencies, and seasonal holiday lights are prohibited.**
- D. **Externally affixed neon lighting is prohibited except in the following manner: As a trim element that surrounds windows, doors, or building edges; when located on building facades that face street frontages or internal driveways within commercial districts; such lighting must not be located more than 15 feet from finished grade and must not be used to define a building roof-line; and, such lighting must not include flashing, intermittent or rotating lights. Notwithstanding the provisions of this subsection, all neon lighting associated with signs must meet the requirements of the City of Florence Sign Code.**



No prohibited lighting is proposed.

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**TITLE 9: UTILITIES**

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**TITLE 9: CHAPTER 5: STORMWATER MANAGEMENT REQUIREMENTS**

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**9-5-3: STORMWATER DESIGN CRITERIA:****9-5-3-1: GENERAL:**

- A. The criteria in Section 9-5-3 shall be used in the design of public and private stormwater drainage and management systems. Stormwater management facilities shall be constructed in accordance with the Stormwater Manual: the 2008 Portland Stormwater Management Manual, as superseded by the December 2010 City of Florence Stormwater Design Manual; and the 2008 City of Portland Erosion and Sediment Control Manual.**

A stormwater management plan and design were submitted as part of the complete application. The stormwater facility will be installed in the existing south east most parking area and will require elimination of 3 parking spaces. The plan was designed according to the City of Florence Stormwater Design Manual. This criterion is met.

**9-5-3-2: STORMWATER QUANTITY (FLOW CONTROL):**

- A. A 25-year, return period storm shall be used for the design of all private and public stormwater drainage systems.**

The proposed stormwater drainage system will be privately owned and has been designed, according to page 1 of the Stormwater Report in Exhibit D, in accordance with the City's presumptive approach requirements.

The system is designed to dispose of runoff from a 25-year event and smaller storms. Events larger than a 25-year event are proposed to overflow through an opening in the curb and to the existing area drain, which is located on the School District property and discharge into the adjacent 30" diameter storm drain beneath the west Oak St sidewalk.

The 25-year 24-hour rainfall depth was a depth of 5.06 inches. See list of run off depths from the stormwater report below.

**SITE SPECIFIC RAINFALL AND SOIL DATA****RAINFALL DEPTH**

RAINFALL DEPTHS WERE TAKEN FROM CHAPTER 4.5 OF THE CITY OF FLORENCE STORMWATER MANAGEMENT DESIGN MANUAL.

2-YR 24-HOUR RAINFALL DEPTH = 3.46 INCHES

10-YR 24-HOUR RAINFALL DEPTH = 4.48 INCHES

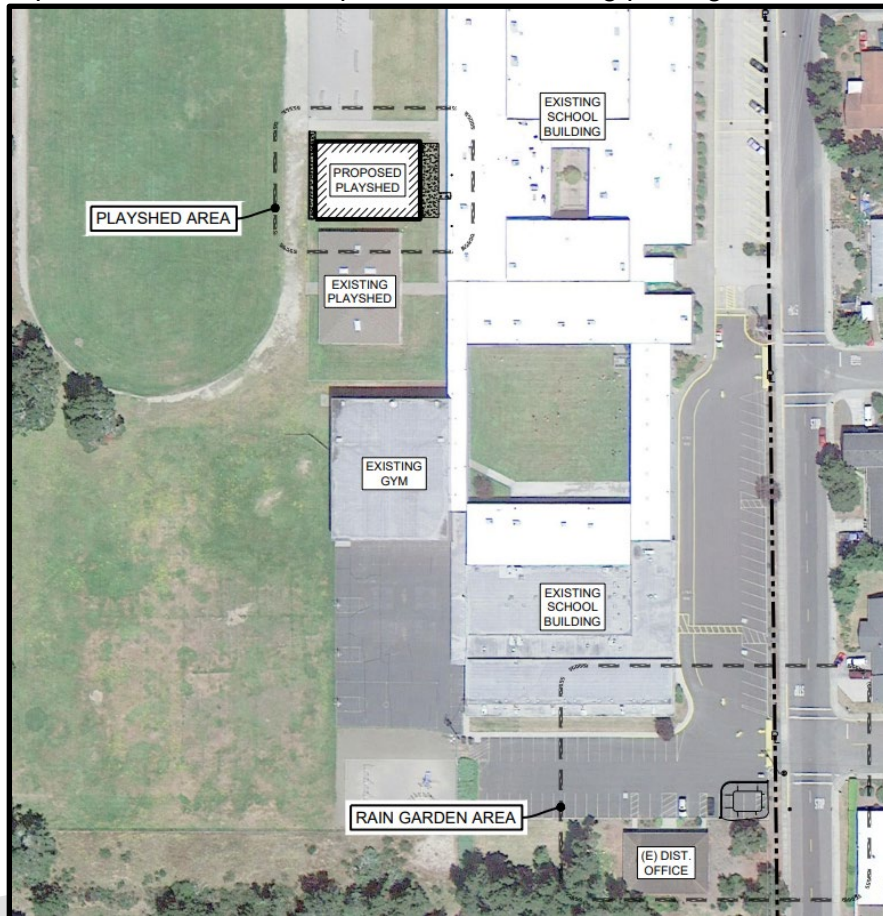
25-YR 24-HOUR RAINFALL DEPTH = 5.06 INCHES

100-YR 24-HOUR RAINFALL DEPTH = 5.95 INCHES

The stormwater report states a 2:1 factor was applied to the lowest infiltration value (6) and a rate of 3 inches per hour was utilized for the system design.



The total increase of impervious surface on the site is 6,707 sq. ft., which includes both the building square feet and the paved pedestrian walkway. The total post-developed treatment (tributary) area is stated to be 7,926 square feet which is proposed to include the total increased 6,707 sq ft of impervious surface and a portion of the existing parking lot.



- B. Onsite stormwater management facilities shall be required to prevent the post-development runoff rates from a project site from exceeding the pre-development runoff rates from the site, based on a 2 through 25-year storm. Exemptions to this requirement may be approved by the City Manager or his/her designee if it is determined that a more effective solution is available and that downstream capacity will accommodate the increase in flow.**

Runoff rates are discussed under FCC 9-5-3-2 A.

- C. Each new development project is responsible for mitigating its impacts on the stormwater system. This mitigation requirement can be satisfied through the use of any of the following techniques, subject to the other limitations identified by this Code:**
  - 1. Construction of onsite facilities to limit the flow rate of stormwater runoff leaving the development site, in accordance with the Stormwater Manual.**



2. **Enlargement or improvement of the down gradient conveyance system in accordance with the requirements of this Code and the City of Florence Stormwater Management Plan.**

The applicant proposes mitigating the project's impacts via on-site facilities using a design typical from the City's Stormwater Design Manual, sheet number SW-140. This criterion is met.

- D. The development of any land requiring a Drainage Plan shall address onsite and off-site drainage concerns, both up gradient and down gradient (a minimum of 1/4-mile) of the project, including:**

1. **Modifications to the existing onsite stormwater drainage and management facilities and drainage patterns shall not restrict or redirect flows creating backwater or direct discharge onto off-site property to levels greater than the existing condition unless approved by the affected off-site property owners and the City. Proof of off-site property owners approval shall be provided by having the affected property owner(s) sign an easement identifying the location of the backwater storage or impoundment area. This area shall be clearly shown on the submitted Drainage Plan site sheet(s). The easement shall be in a form approved by the City and recorded with the Lane County Deeds and Records Office.**
2. **Stormwater facilities shall be designed and constructed to accommodate all flows generated from the project property in accordance with the land use zoning as shown in the most recent approved City Code.**
3. **Capacity of the downstream drainage system to determine if increases in peak flow rates resulting from the proposed development can be accommodated.**

According to the Stormwater report and calculations submitted as part of this application, the rain garden has been designed to completely manage all post development flow and the overflow from a 100-year event will flow through the existing curb opening. The report states that testing showed that the 100-year flow was able to pass through the emergency outlet without overtopping the rain garden. See snip below from pg. 5 of the stormwater report and calculations (Exhibit D). These criteria are met.

**REQUIRED RAIN GARDEN VOLUME**

THE HYDROGRAPH FOR THE POST DEVELOPED AREA WAS ROUTED THROUGH THE PROPOSED RAIN GARDEN STAGE-STORAGE MODEL. RAIN GARDEN CONFIGURATION WAS ADJUSTED SUCH THAT THE FACTORED INFILTRATION RATES COMPLETELY DISPOSED OF FLOWS RESULTING FROM THE 25-YR AND SMALLER STORMS, SEE APPENDIX A – MAPS AND EXHIBITS AND APPENDIX H – HYDROCAD MODEL OUTPUT.

**EMERGENCY OVERFLOW PATH**

THE 100-YR MODEL STORM WAS ALSO ROUTED THROUGH THE PROPOSED RAIN GARDEN STAGE-STORAGE MODEL. THE OVERFLOW CURB OPENING WAS MODELED AS BROAD-CRESTED WEIR AND HAS BEEN SHOWN TO FULLY PASS THE 100-YR PEAK THROUGH THE EMERGENCY OUTLET WITHOUT OVERTOPPING THE RAIN GARDEN.

- E. The types of stormwater management controls presented in the Stormwater Manual are available for owners and developers to use in satisfying the pre-developed and post-development runoff requirement. More than one of these types of controls may**

**be needed to satisfy the runoff requirement. In areas where the runoff requirement in Section 9-5-3-2-F are exempt or partially exempt, the City may require improvements to the down gradient conveyance system.**

The project proposes using a rain garden to manage onsite stormwater per City of Florence stormwater management manual typical from sheet number SW-140, growing medium will conform to Appendix B, and plantings will be from Appendix G in accordance with the City of Florence's Stormwater Manual. This criterion is met.

#### **9-5-3-3: STORMWATER QUALITY:**

- A. Stormwater management facilities to treat stormwater are required for certain types of projects. These water quality facilities shall be designed and constructed for all projects requiring a Drainage Plan and for other projects as required by this section. Stormwater management facilities required for development shall be designed, installed and maintained in accordance with the Stormwater Manual, which is based on achieving at least 70% removal of the Total Suspended Solids (TSS) from the flow entering the facility for the design storm specified in the Stormwater Manual.**
- B. Water quality facilities shall be designed and constructed for all projects requiring a Drainage Plan.**
- C. Projects located in the Zones of Contribution must have pre-treatment facilities prior to infiltration facilities as prescribed in the Stormwater Manual. When a wellhead protection plan is developed and adopted by the City, this specific requirement may be rescinded or modified by the City.**
- D. The water quality design storm shall be based on an intensity of 0.25 inches per hour, or 0.83 inches for a 24-hour SCS Type 1A rainfall return event.**
- E. Water quality facilities must be designed to prevent damage to the facility for flows exceeding the water quality design storm and to ensure no re-suspension of pollutants, consistent with the Stormwater Manual.**
- G. The types of stormwater management facilities presented in the Stormwater Manual are available for owners and developers to use in satisfying the stormwater quality requirement. More than one of these types of facilities may be required to satisfy this requirement.**

In accordance with this code criteria, the proposed rain garden has been designed consistent with the City of Florence Stormwater Design Manual, sheet SW-140, to accommodate 25-year stormwater event and to accommodate 100-year events through an emergency outflow without overtopping the rain garden. For storms larger than a 25-year event the overflow is proposed through an opening on a curb on private property and discharge from this drain to an adjacent 30" diameter storm line beneath the west Oak Street sidewalk. These criteria are met.

#### **9-5-4: MAINTENANCE RESPONSIBILITY:**

- A. Private stormwater facilities must be maintained in accordance with the Operations and Maintenance Plan approved as part of the Drainage Plan. The Operations and Maintenance Agreement will be recorded with the Lane County Deeds and Records Office. The Stormwater Manual contains the Operations and Maintenance**

Agreement Form to be used. A log of all maintenance activity shall be kept by the owner and made available to the City upon request. The City may, at its option, inspect the facilities for compliance with the requirements. If a property owner fails to maintain their facilities, the City may issue a written notice specifying the required actions. If corrective actions are not completed in a timely manner, the City may pursue legal remedies to enforce the provisions of the Operations and Maintenance Plan. The City will only enter the property to perform the required FLORENCE CITY CODE TITLE 9 12 STORMWATER MANAGEMENT UTILITY 9-5 corrections if the public's health and public property are in imminent danger. In this situation, reasonable attempts will be made to contact the property owner(s), but a written notice may not be required. The property owner(s) will be billed for City incurred expense.

- B. The Maintenance Agreement shall provide that upon notification by the City of any violation, deficiency or failure to comply with the agreement or this Code, corrections shall be completed within ten (10) days after notice thereof. Thereafter the City may pursue legal action to enforce the provisions of the agreement. In an emergency situation, the City may provide for all necessary work to place the facility in proper working conditions. The persons specified as responsible for maintenance in the Maintenance Agreement shall be charged the costs of the work performed by the City or its agents.

The Geotechnical Report discusses the recommended maintenance for extended life of the rain garden. Appendix E- Operations and Maintenance Forms, of Exhibit D, includes the Rain Gardens Operations & Maintenance Plan from Appendix H-14 for the City of Florence Stormwater Design Manual. Maintenance responsibilities and requirements have been sufficiently discussed in the submitted application materials. It shall be the property owner's responsibility to ensure ongoing maintenance of the system in accordance with this code criteria and the Stormwater Design Manual (**Informational 7**). This criterion is met.

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## **REALIZATION 2020, FLORENCE COMPREHENSIVE PLAN**

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### **Chapter 2: Land Use**

#### **Other Designations Categories: Public**

The Public designation is intended to identify existing public and semi-public uses including the airport, public parks, schools, community colleges, cemeteries, and other public buildings and lands as well as major utility facilities. Planned locations for such facilities are also included within this designation; however, future sites and public facility developments may take place within other plan designations subject to need and appropriate review. The implementing zoning districts for this Plan designation are: Open Space District and Public Use Airport Zone (for the airport). In addition, the Public Use Airport Safety and Compatibility Overlay Zone applies to the airport and to lands near the airport as defined in the description of the Overlay Zone in Title 10 of the Florence City Code.

The project site is located within a Public Open Space designation per the City of Florence Realization 2020 Comprehensive Plan Map.

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**VI. CONCLUSION-**

The proposed application meets the requirements of City Code subject to conditions.

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**VIII. EXHIBITS**

"A"	Findings of Fact
"B"	Application
"C"	Site Plan Materials
"C.1"	Land Use Response Letter
"D"	Stormwater Report and Civil Calculations
"D.1"	Letter From Central Geotechnical Services, LLC
"E"	Referral Comments

DRAFT