

AR 20 04 VEG 02

Vegetation Clearing

**Conditions of Approval
Code Violation Penalty Assessment**



Introduction

- **September 3, 2020** – Veg. Clearing Permit issued.
- **December 28, 2020** – Complaint call received
- **December 31, 2020** – Site Visit, Code Enforcement
- **January 13, 2021** – Site Visit, Planning Staff and Code Enforcement
- **January 15, 2021** – Code Enforcement Letter Issued and Citation delivered

Aerial of Site

City Property

Mariner's
Village

Fairway
Estates,
Phase 2

Fairway
Estates,
Phase 1



Conditions of Approval

4.1. A 20' wide perimeter of vegetation buffer shall be maintained along all property lines where vegetation shall not be removed. These buffers shall be perimtered and demarcated with either orange construction fencing or with continuous yellow caution tape or similar. Within this 20' buffer, shrubs may be manually cut only as needed to provide a direct path no greater than 24 inches wide to gain access to a survey point.

4.2. Site grading and topographic modification is not approved for this application.

Conditions of Approval

5.1 The applicant shall flag all trees proposed for cutting and call for an inspection prior to felling. Shrub removal shall be limited to those necessary for accessing survey points along lot lines. Vegetation internal to a proposed lot shall not be removed.

Conditions of Approval

6. The applicant shall retain a 50' buffer from the wetland areas, where no vegetation shall be removed. This buffer shall be perimetered and demarcated with either orange construction fencing or with continuous yellow caution tape or similar.

Florence City Code

Title 4 Chapter 6

4-6-6: PENALTIES: Failure to obtain a permit, or comply with a condition or requirement of this Chapter shall be deemed a violation of City Code and subject to one or more of the following penalties:

- A. Replacement of damaged or removed vegetation which approximates the site condition prior to the offense;
- B. Replacement of damaged or removed vegetation which has been determined by the Planning Commission to provide sufficient mitigation of the offense within a reasonable time-frame;

Florence City Code

Title 4 Chapter 6

C. Pursuant to the General Penalty clause contained in Code Section 1-4-1, each offense shall be punishable by a fine not to exceed five hundred dollars (\$500.00), each day constituting a separate offense.

D. Withholding or revocation of a business license, final PUD or subdivision approval, building permits, and suspension of building inspections until each offense has been satisfactorily mitigated. (This section amended by Ordinance No. 22 Series 1994).

Testimony

Public Testimony Received:

- Mariners Village HOA
- Joel Marks
- Nancy Rhodes
- Craig and Karen Sheely
- Michael and Nancy Pearson

West Shore Phase Map

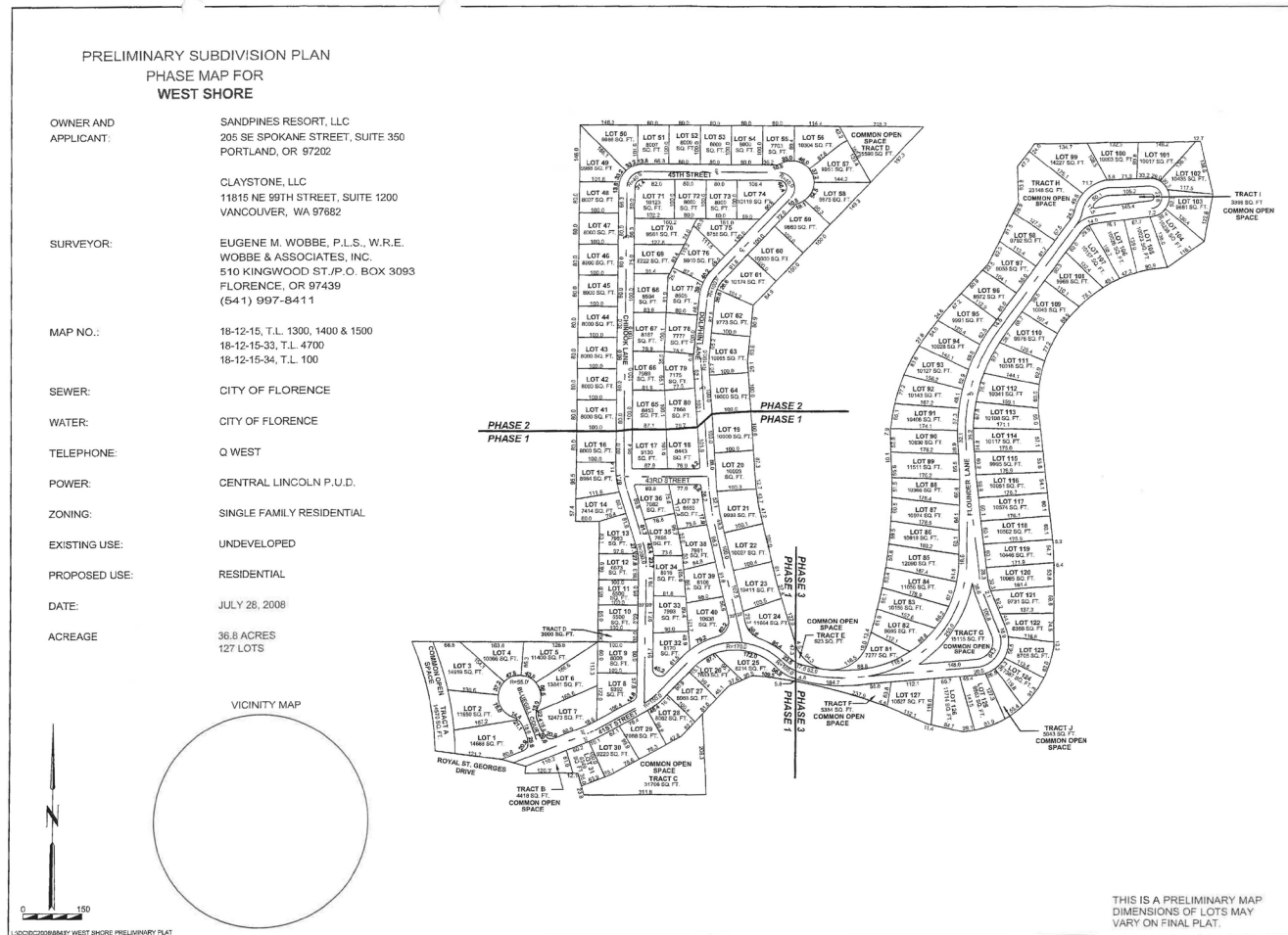


Exhibit J

SURVEYORS CERTIFICATE:

I, EUGENE M. WOBBE, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE CAUSED TO BE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE FOLLOWING DESCRIBED PLAT:

BEGINNING AT THE SOUTH-WEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE SOUTH-WEST ONE-QUARTER OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN; THENCE ALONG THE SOUTHERLY LINE OF SAID NORTHEAST ONE-QUARTER OF THE SOUTH-WEST ONE-QUARTER OF SECTION 15, SOUTH 89°50'56" EAST FOR 60.00 FEET; THENCE LEAVING SAID SOUTHERLY LINE NORTH 0°20'50" EAST FOR 310.00 FEET; THENCE NORTH 89°50'56" WEST FOR 60.00 FEET TO THE WESTERLY LINE OF SAID NORTHEAST ONE-QUARTER OF THE SOUTH-WEST ONE-QUARTER OF SECTION 15; THENCE ALONG THE WESTERLY LINE OF SAID NORTHEAST ONE-QUARTER OF SECTION 15, NORTH 0°20'50" EAST FOR 1018.97 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST ONE-QUARTER OF THE SOUTH-WEST ONE-QUARTER OF SECTION 15; THENCE ALONG THE NORTHERLY LINE OF SAID NORTHEAST ONE-QUARTER OF THE SOUTH-WEST ONE-QUARTER OF SECTION 15, SOUTH 89°48'17" EAST FOR 876.75 FEET; THENCE LEAVING SAID NORTHERLY LINE SOUTH 43°18'51" WEST FOR 631.44 FEET; THENCE SOUTH 5°09'50" WEST FOR 144.45 FEET; THENCE SOUTH 3°56'19" EAST FOR 110.09 FEET; THENCE SOUTH 3°56'19" EAST FOR 206.30 FEET; THENCE SOUTH 8°09'47" EAST FOR 56.42 FEET; THENCE SOUTH 13°36'10" EAST FOR 202.34 FEET; THENCE SOUTH 17°19'22" EAST FOR 153.39 FEET; THENCE SOUTH 19°53'58" EAST FOR 96.79 FEET; THENCE ALONG A 1350.00 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS NORTH 81°59'38" WEST 109.32 FEET) A DISTANCE OF 109.35 FEET; THENCE SOUTH 65°53'18" WEST FOR 88.37 FEET; THENCE SOUTH 43°21'41" WEST FOR 98.77 FEET; THENCE SOUTH 31°29'5" EAST FOR 208.47 FEET; THENCE SOUTH 80°58'03" WEST FOR 311.84 FEET; THENCE NORTH 15°28'49" WEST FOR 58.64 FEET; THENCE WEST FOR 132.39 FEET; THENCE ALONG A 123.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS NORTH 7°35'01" EAST 27.84 FEET) A DISTANCE OF 27.89 FEET; THENCE NORTH 82°38'38" WEST FOR 827.04 FEET TO THE EASTERLY RIGHT OF WAY LINE OF RHODOCHORDON DRIVE; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE ALONG A 746.20 FOOT RADIUS CURVE TO THE LEFT (THE CHORD OF WHICH BEARS NORTH 10°37'45" WEST 242.86 FEET) A DISTANCE OF 243.94 FEET; THENCE NORTH 20°38'37" WEST FOR 44.87 FEET; THENCE LEAVING SAID EASTERLY LINE SOUTH 89°50'54" EAST FOR 412.33 FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

DECLARATION:

KNOW ALL MEN THAT CLAYSTONE, LLC, AN OREGON LIMITED LIABILITY COMPANY IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND DOES HEREBY LAYOUT AND SUBDIVIDE THE SAME AS SHOWN ON THE PLAT IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92 AND DOES CREATE THE COMMON PROPERTY OPEN SPACES AND THE PRIVATE ACCESS EASEMENTS AND DOES DEDICATE THE PUBLIC UTILITY EASEMENTS, THE PUBLIC WATERLINE EASEMENT AND THE PUBLIC SEWER EASEMENT AND DOES CREATE THE PRIVATE ROADS AS SHOWN ON THE PLAT.

CLAYSTONE, LLC
BY: LYNN MANAGEMENT, LLC, MANAGER
BY: KLV INVESTMENT CORP., MANAGER

BY: KEVIN WANN, PRESIDENT

ACKNOWLEDGMENT: STATE OF OREGON) SS
COUNTY OF LANE)

PERSONALLY APPEARED BEFORE ME THE ABOVE NAMED KEVIN WANN, PRESIDENT, KLV INVESTMENT CORP., MANAGER OF LYNN MANAGEMENT, LLC, MANAGER OF CLAYSTONE, LLC, WHO IS KNOWN TO ME TO BE THE INDIVIDUAL WHO EXECUTED THE ABOVE INSTRUMENT AND THAT THE INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY THE ABOVE NAMED OFFICER AND HE HAS ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE A VOLUNTARY ACT AND DEED.

SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2008.

PAMELA S. CARD
NOTARY PUBLIC - OREGON
COMMISSION NO. 398754
COMMISSION EXPIRES: DECEMBER 22, 2009

MAP NO. 18-12-15, TL 1300 AND 1500
MAP NO. 18-12-15-3-3, TL 4700

WEST SHORE PHASE 1 SW 1/4, SEC. 15, T18S, R12W, W.M. FLORENCE, LANE COUNTY, OREGON APRIL 24, 2008

CITY OF FLORENCE APPROVALS:

PLANNING DIRECTOR _____ DATE _____

PLANNING COMMISSION CHAIRPERSON _____ DATE _____

LANE COUNTY APPROVALS:

COUNTY ASSESSOR _____ DATE _____

COUNTY SURVEYOR _____ DATE _____

LANE COUNTY BOARD OF COMMISSIONERS _____ DATE _____

NARRATIVE:

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT THE CORNERS OF THE PLAT AS SHOWN. THE INTERIOR MONUMENTS WERE SET AT THE DIRECTION OF THE OWNER. THE EXTERIOR BOUNDARY WAS ESTABLISHED AT DEED RECORD POSITION.

NOTES:

THIS PLAT IS AFFECTED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED _____, 2008, DOCUMENT NO. _____, LANE COUNTY DEEDS AND RECORDS, LANE COUNTY, OREGON.

A VISION CLEARANCE TRIANGLE OF 10' SHALL BE MAINTAINED AT EACH DRIVEWAY INTERSECTION.

CONCURRENCE RECORDED _____, 2008, DOCUMENT NO. _____, LANE COUNTY DEEDS AND RECORDS, LANE COUNTY, OREGON.

CONCURRENCE RECORDED _____, 2008, DOCUMENT NO. _____, LANE COUNTY DEEDS AND RECORDS, LANE COUNTY, OREGON.

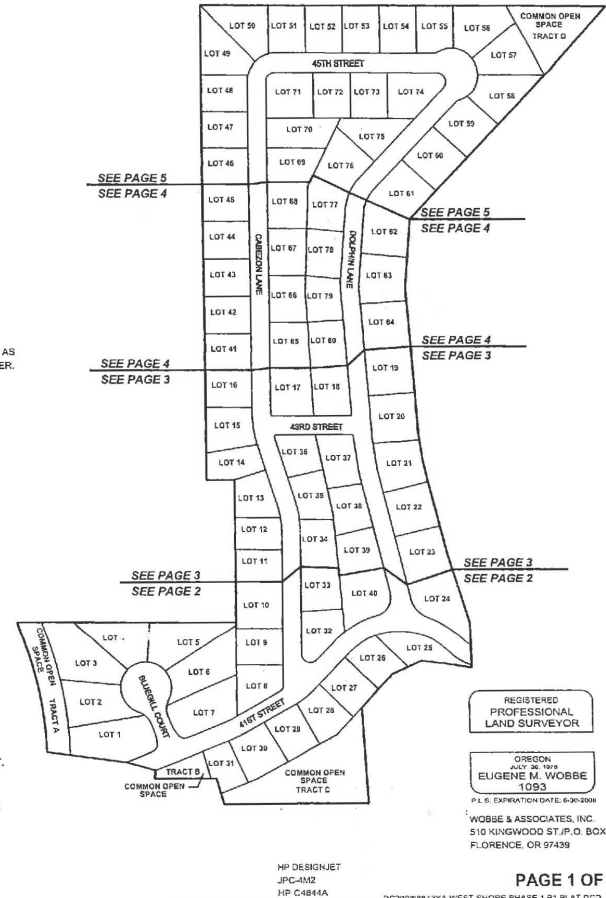
SHEET INDEX:

SHEET 1 OF 5 SURVEYORS CERTIFICATE, DECLARATION, ACKNOWLEDGMENT, LANE COUNTY APPROVALS, CITY OF FLORENCE APPROVALS, PLAT BOUNDARY, NOTES, NARRATIVE, SHEET INDEX.
SHEET 2 OF 5 LOTS 1 THRU 10, LOTS 24 THRU 33, LOT 40 AND COMMON OPEN SPACE TRACT A, B AND C.
SHEET 3 OF 5 LOTS 11 THRU 23 AND LOTS 34 THRU 38.
SHEET 4 OF 5 LOTS 41 THRU 45, LOTS 62 THRU 68 AND LOTS 77 THRU 80.
SHEET 5 OF 5 LOTS 46 THRU 61, LOTS 69 THRU 76 AND COMMON OPEN SPACE TRACT D.

RECORDED
DATE: _____
COUNTY CLERK
BY: _____

LANE COUNTY SURVEYORS OFFICE
C.S. FILE NO. _____
FILING DATE: _____

PRELIMINARY



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 26, 1976
EUGENE M. WOBBE
1093

P.L.S. EXPIRATION DATE: 6-30-2009

WOBBE & ASSOCIATES, INC.
510 KINGWOOD ST., P.O. BOX 3093
FLORENCE, OR 97439

HP DESIGNJET
JPC-4M2
HP C4844A

DC2928243YA WEST SHORE PHASE 1 P1 PLAT.DCD

PAGE 1 OF 5

LEGEND

- 4" PERF PIPE SUB-DRAIN
- BIORETENTION SWALE (AKA 'RAIN GARDEN')
- SOLID WALL STORM DRAIN PIPE
- MOISTURE TOLERANT LANDSCAPE PLANTS
- EXISTING TOPOGRAPHY LINE
- EXISTING VEGETATION LIMITS

3 SW2 FLOW CONTROL MANHOLE

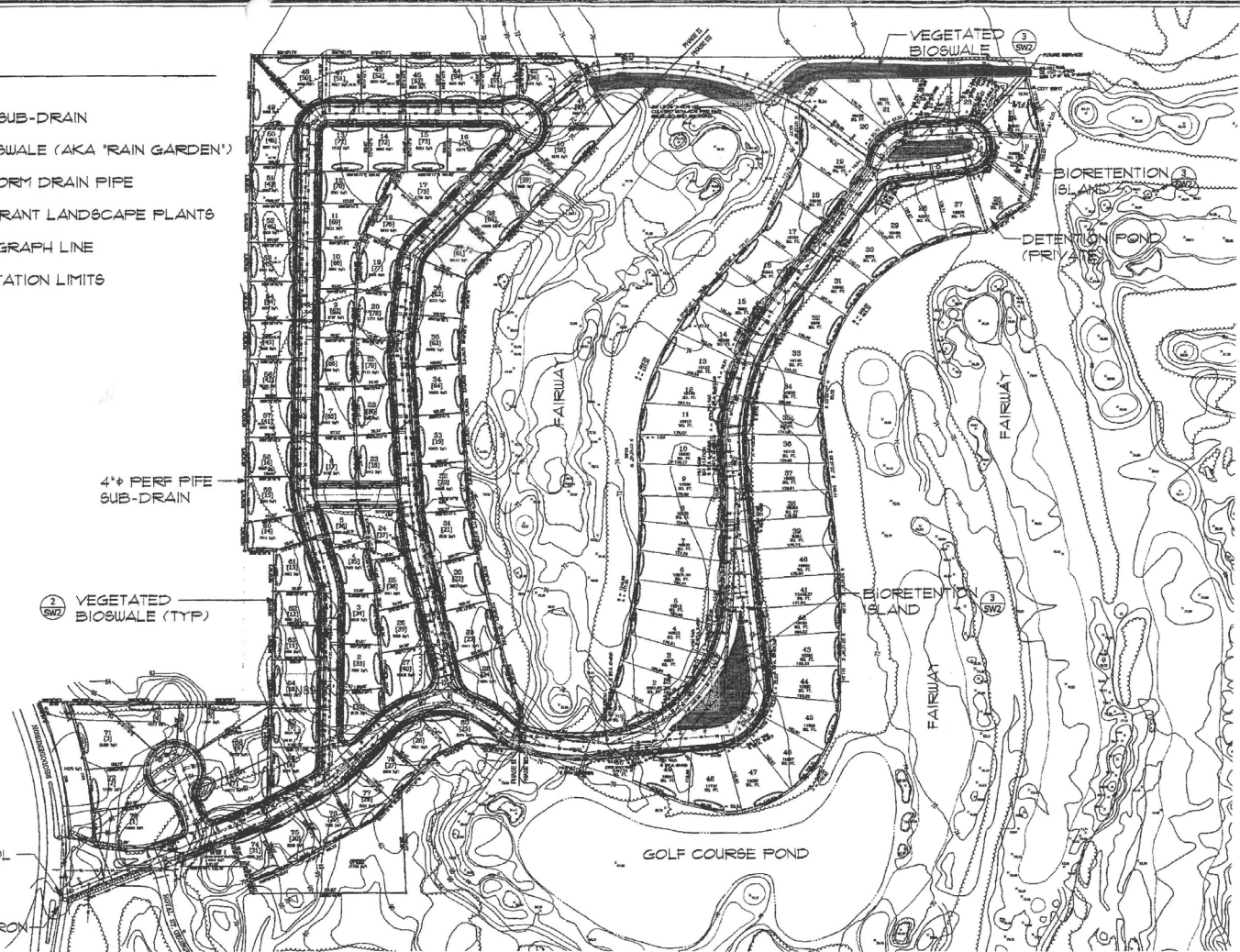
RHODODENDRON STORM DRAIN



1 SW1 STORMWATER MANAGEMENT PLAN
SCALE: 1" = 100'

4" PERF PIPE SUB-DRAIN

2 SW2 VEGETATED BIOSWALE (TYP)



Sandpines Residential Phases II & III Revised Stormwater Management Plan

SHEET
SW1
Page 1 of 2

FRED URIGHT, P.E.
CONSULTING ENGINEERS, INC.
2838 NIE KINGS BOULEVARD
CORVALLIS, OREGON 97330
TEL: 541-333-8644 furedright@proconline.com
Professional Engineer
No. 12345
Expiration 12-31-15
CSCEngineering.com

Staff Recommendation

- Additional fine of \$500 for clearing off-site
- Replant 20' and 50' on-site perimeters
- Replant off-site clearing

Questions?

